

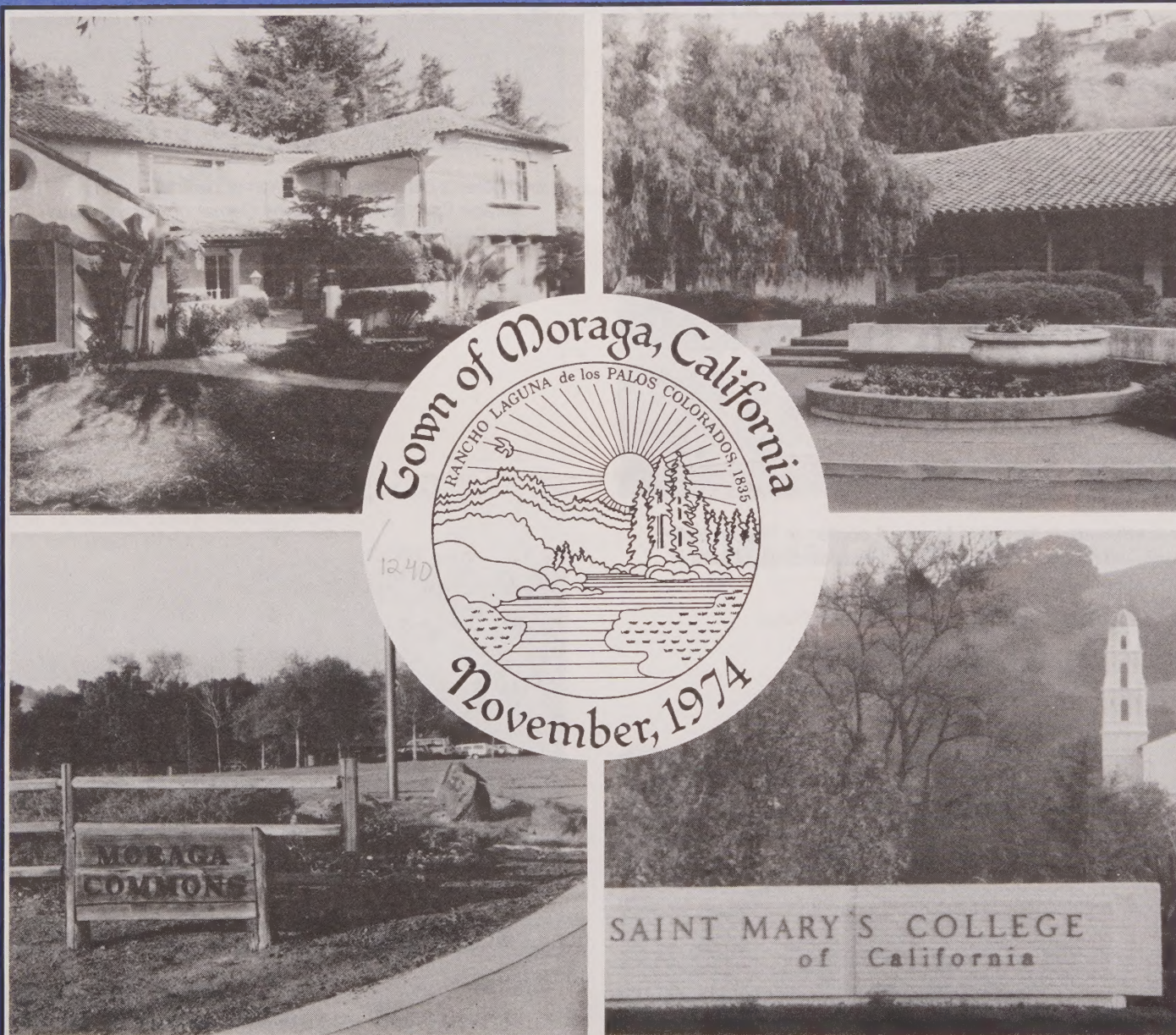
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UNIVERSITY OF CALIFORNIA



# MORAGA GENERAL PLAN



# 1990





Senior housing clustered near shopping area with open space in background. Note Moraga Barn in left middle foreground of photo.



View Northeasterly from Alta Mesa. A portion of Rheem Valley Manor in left middleground and a portion of Bollinger Bluffs in right middleground.



## Moraga Today

Photos by Jean Safir and Rich Chamberlain  
except where noted Moraga Historical Society



Children's play area in a portion of centrally located Moraga Commons Park at the Corner of Moraga Road and Saint Mary's Road.



View easterly from Ascot Ridge over Rheem Shopping Center. A portion of Rancho Moraga subdivision in upper left corner of photo.

Quiet picnic areas with view of surrounding hills at Rancho Laguna Park.



## GENERAL PLAN

### TOWN OF MORAGA, CALIFORNIA

Adopted by the Town Council on  
August 15, 1990 - Resolution 25-90 TC and  
November 14, 1990 - Resolution 39-90 TC

Approved by the Planning Commission on  
November 5, 1990 - Resolution No. 36-90 PC

350 Rheem Boulevard, Suite 2, Moraga, CA 94556 - (415) 376-5200

## VOLUME I. GOALS, POLICIES AND ACTION PROGRAMS\*

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\*Copies of Volume II. TECHNICAL APPENDICES and VOLUME III.  
ENVIRONMENTAL IMPACT REPORT may be obtained at  
the Town Planning Office.

### TOWN COUNCIL

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ROSS G. HUBBARD, TOWN MANAGER  
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KENNETH C. SCHEIDIG, ASSISTANT TOWN ATTORNEY  
WILLIAM M. HANSEN, TOWN TREASURER  
ROBERT T. HUGHES, POLICE CHIEF

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PLANNING COMMISSION ——— MICHAEL G. HARRIS  
DESIGN REVIEW BOARD ——— FRANK HAINLEY  
PARKS & RECREATION COMMISSION ———— CHERIE GRANT  
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## GENERAL PLAN COMMITTEE

TOWN COUNCIL ——— JAMES J. SWEENEY  
TOWN COUNCIL ——— AL DESSAYER  
PLANNING COMMISSION ——— MICHAEL G. HARRIS  
PLANNING COMMISSION ——— PAT HALEY  
PLANNING COMMISSION ——— STEVEN R. FELS

## GENERAL PLAN CONSULTANTS

MARTIN • CARPENTER • ASSOCIATES  
Neal Martin, Principal  
Gaither Loewenstein, Associate



# RESOLUTIONS OF ADOPTION

## Resolution No. 25-90 TC Adopting The General Plan For the Town of Moraga File No. 89-27001

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of: ) Resolution No. 25-90 TC  
Adopting The General Plan For the )  
Town of Moraga )  
File No. 89-27001 )

The Town of Moraga General Plan was adopted on March 21, 1979, by Resolutions 18A-79, 18B-79 and 18C-79; and

Since the adoption of Moraga's first General Plan the following events, among others, have occurred:

1. The General Plan has been amended from time to time over the past 11 years;
2. On April 8, 1986, the Moraga Open Space Ordinance (MOSO), an initiative measure, was approved by the voters and thereafter took effect on April 26, 1986. MOSO amended the General Plan in several significant respects;
3. State law requires that the housing element of the General Plan be reviewed every five years. In particular, communities in northern California are required to revise this element of the General Plan in 1990 (Reference: Government Code section 65588);
4. A comprehensive review of the General Plan has not been undertaken since its adoption in 1979;

The Town Council determined that it was necessary to undertake a comprehensive revision of the General Plan. On August 16, 1989, the Town Council adopted Ordinance No. 130. On September 13, 1989, the Town Council adopted Ordinance No. 131 which extended Ordinance No. 130 to and including August 15, 1990. These ordinances were adopted under Government Code Section 65588 and established a moratorium on the approval of land use entitlement so that development which could frustrate a newly adopted General Plan would not occur;

On September 13, 1989, the Town Council approved a schedule for completing the review and update of the General Plan, including the preparation of a program Environmental Impact Report (EIR) setting a deadline of August 15, 1990 for completion and adoption of a comprehensive new General Plan;

The Town Council meeting on August 15, 1990 is the culmination of extensive work by consultants and staff and a comprehensive series of reviews and public hearings on both the proposed General Plan and the EIR. These procedures included the following steps:

1. On May 13, 1989, the Town Council created a General Plan Steering Committee (the Steering Committee) consisting of representatives from the

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Town Council, the Planning Commission, the Design Review Board, the Environmental Review Committee, the Parks and Recreation Commission and the Chamber of Commerce, for the purpose of guiding the process of review and update of the General Plan;

2. The Town Council contracted with the firm of Martin Carpenter Associates for the preparation of a General Plan Revision and a program Environmental Impact Report;
3. The Town conducted a survey of Moraga households in order to obtain the opinions of as large a group of Town residents as possible regarding the policies to be considered in the review and update of the General Plan;
4. The Town conducted a series of public workshops at which citizen input was solicited by the staff and consultants;
5. Two members of the Town Council joined with the standing general plan & zoning subcommittee of the Planning Commission (the General Plan Committee) for the purpose of meeting with staff and consultants regarding the preparation of the public review drafts of the proposed General Plan and EIR. The General Plan Committee held a series of meetings which were open to the public;
6. The draft of the proposed General Plan prepared by Martin Carpenter Associates in association with the staff was submitted to the Town on or about May 18, 1990. The document consisted of three volumes comprising Goals & Policies (Vol. 1), Technical Appendices (Vol. 2) and the EIR (Vol. 3); also, additional materials consisting of a commercial market assessment prepared by Economic Research Associates, Technical Appendix to the Circulation Element comprising traffic analysis prepared by RRM, and Recommendations by the Moraga Fire Protection District were submitted. These documents (referred to as the proposed General Plan and DEIR) were distributed to the Town Council, the Planning Commission and the Parks and Recreation Commission. They were also made available to the public.
7. Joint public workshops between the Town Council, the Planning Commission and Parks and Recreation Commission were held on May 24 and May 29 to review and comment on the proposed General Plan and EIR. Notice of the joint workshops was given to the public but the public was asked to withhold their comments until the General Plan Steering Committee could meet, review the findings from the joint workshops and draft a preferred set of goals, policies and action plans including a preferred growth scenario consistent with the General Plan diagram, after which, the proposed General Plan as revised and the draft EIR (DEIR) would be exposed to the public hearing process;
8. On June 12, 1990, the proposed Moraga General Plan, with changes suggested as a result of the process heretofore described, and the DEIR were made available for public review. A public hearing on these documents was held at a joint meeting of the Town Council and the Planning Commission on June 18, 1990, at a noticed public hearing. Members of the public were given an opportunity to address the Town Council and Planning Commission on the proposed General Plan as revised and the DEIR;
9. Following the public hearing on June 18, 1990, the Town Council referred the proposed General Plan as revised and the DEIR to the Planning

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Commission for its report and recommendation;

10. The Planning Commission held a properly noticed public hearing on the proposed General Plan as revised and the EIR on June 25, 1990. All persons interested were given the opportunity to be heard and the Planning Commission thereafter formulated and sent its report and recommendations to the Town Council;

11. On or about June 26, 1990, the Town sent the draft Housing Element to the State Department of Housing and Community Development for its review and comment.

12. The Town Council held a properly noticed public hearing on July 11, 1990 on the DEIR and the proposed General Plan as revised and recommended by the Planning Commission. At its meeting of July 11th the Town Council received written and oral comments to the DEIR; it evaluated the comments and caused responses to the comments to be prepared in writing. Thereafter, the Town Council adopted Resolution No. 25-90 certifying the Final EIR. The Town Council referred back to the Planning Commission for further comment various portions of the proposed General Plan as revised for its report and recommendations;

13. On July 16, 1990, the Planning Commission considered the items referred to it by the Town Council and thereafter formulated its recommendations to the Town Council with respect to each one of those items referred to it;

14. The Town Council fixed August 15, 1990 as the date to receive the Planning Commission's report and recommendations and to consider and take action on the proposed General Plan as revised. The meeting on August 15, 1990 was properly noticed as a public hearing and any and all members of the public who attended the meeting were given the opportunity to be heard.

The Town Council having prepared and certified the Final EIR, having considered the report and recommendations of the Planning Commission and the comments of the public and having determined that it is in the interests of the public so to do.

### IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

1. The EIR identifies significant environmental effects of adopting the proposed General Plan as revised. These significant impacts are listed and summarized in the document entitled "Final Program Environmental Impact Report, Town of Moraga, General Plan Revision Project" dated July 9, 1990 prepared by Martin Carpenter Associates. For each of the impacts identified, the document lists one or more mitigation measures to avoid or substantially lessen the significant environmental effect.

The Town Council finds that the changes have been incorporated into the proposed General Plan as revised and these changes avoid or substantially lessen the significant environmental effects identified.

2. In order to insure the implementation of the mitigation measures identified in paragraph 1 above, a reporting or monitoring program as required by Public Resources Code section 21081.6 is attached as Exhibit "A" and incorporated into this Resolution by reference.

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3. During the preparation of the General Plan, the Town provided opportunities for the involvement of citizens, public utility companies, and civic, educational, and other community groups.

4. Before taking action on the proposed General Plan as revised, the Town referred it to the cities of Lafayette and Orinda and the County of Contra Costa;

5. The General Plan identified as "The Town of Moraga General Plan, August 15, 1990" has been prepared in accordance with the State Planning and Zoning Act, Government Code sections 65300-65307. It accommodates local conditions and circumstances while meeting the requirements imposed by those provisions of State law. The Town's response to the State planning laws as embodied in the General Plan reflects the physical size, characteristics, population size and density, fiscal and administrative capabilities, land uses and development issues and human needs of the Town. The General Plan is a comprehensive integrated document and must be reviewed in its entirety in order to determine how it affects any property within the Town.

6. In accordance with section 65580 et seq. of the Government Code, the housing element for the General Plan was submitted to the Department of Housing and Community Development on or about June 28, 1990 as required by Government Code section 65586. The findings of the Department were received on August 13, 1990 and although provided to the Town Council prior to the adoption of this Resolution, were not received in sufficient time to fully analyze the position of the Department and to consider what changes, if any, might be made to the General Plan in order to respond to the Department's comments. The Town Council considered the Department's comments in general prior to its adoption of the General Plan. However, the Town Council has referred the comments of the Department for further review as more particularly set forth in paragraph 8 of this resolution.

7. The Town of Moraga General Plan, August 15, 1990 is adopted as the General Plan of the Town of Moraga.

8. The August 7, 1990 letter from the Department of Housing and Community Development and the Indian Valley Study Area are referred to the General Plan Committee. The General Plan Committee shall review these two issues and prepare a report and recommendation, together with the appropriate environmental document, for any changes or modifications to the Town of Moraga General Plan, August 15, 1990. The recommendations of the General Plan Committee shall be submitted to the Planning Commission for review and recommendation to the Town Council after holding noticed public hearing(s) as required by State law and shall be considered by the Town Council after holding appropriate noticed public hearing(s) as required by State law. The Town Council directs that the review and recommendation process identified above be completed as expeditiously as possible so that the recommendations of the Planning Commission are forwarded to the Town Council for consideration at a Council meeting closest to 120 days from the effective date of this resolution.

9. The Town staff is directed to bring the General Plan documents, including diagrams and maps, into conformity with this resolution.

10. The Town Manager shall provide a copy of the General Plan to each

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Town department, board and commission. The Town Council and each department, board and commission shall consider the General Plan in its deliberations on matters which come before it.

11. The Town Clerk shall send a copy of the housing element of the General Plan to the State of California Department of Housing and Community Development as required by Government Code Section 65585(c); and send a copy of the safety element to the Division of Mine & Geology of the State of California Department of Conservation. In addition, copies of the General Plan shall be provided to other public entities and to the general public in accordance with Government Code section 65587.

12. This resolution is effective immediately upon its adoption.

ADOPTED by the Town Council of the Town of Moraga on August 15, 1990, by the following vote:

AYES: Avanzino, Crossley, Denssayer, Noe, Sweeney

NOES: None

ABSTAIN: None

ABSENT: None

*Rose G. Hubbard*

Rose G. Hubbard, Town Clerk

*James Sweeney*

James Sweeney, Mayor

Note: Exhibits and reference documents are on file at the Town Planning Office, 350 Rhem Blvd., Suite 2

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# RESOLUTIONS OF ADOPTION

## Resolution No. 36-90 PC Approving General Plan Amendment 90-2 File No. 90-27001

### BEFORE THE TOWN OF MORAGA PLANNING COMMISSION

In the Matter of:  
Approving General Plan Amendment 90-2

Resolution No. 36-90 PC  
File No. 90-27001  
Planning Commission Adoption Date:  
November 5, 1990

WHEREAS, on August 15, 1990, the Town Council adopted a revised General Plan, by Resolution 25-90 TC; and,

WHEREAS, Resolution 25-90 TC contains the following determination, among others:

"8. The August 7, 1990 letter from the Department of Housing and Community Development and the Indian Valley Study Area are referred to the General Plan Subcommittee. The General Plan Subcommittee shall review these two issues and prepare a report and recommendation, together with the appropriate environmental document, for any changes or modifications to the Town of Moraga General Plan, August 15, 1990. The recommendations of the General Plan Subcommittee shall be submitted to the Planning Commission for review and recommendation to the Town Council after holding noticed public hearing(s) as required by State law and shall be considered by the Town Council after holding appropriate noticed public hearing(s) as required by State law. The Town Council directs that the review and recommendation process identified above be completed as expeditiously as possible so that the recommendations of the Planning Commission are forwarded to the Town Council for consideration at a Council meeting closest to 120 days from the effective date of this resolution.";

WHEREAS, on August 27th and September 3rd and 6th, the General Plan Subcommittee (renamed "General Plan Committee") met to review the letter from the Department of Housing and Community Development and to consider data presented by consultants and staff; and,

WHEREAS, on September 4, 1990, the Environmental Review Committee (ERC) subcommittee met with staff and consultant to consider an Initial Environmental Study on General Plan Amendment 90-2 (consisting of proposed revisions to the General Plan Diagram for Indian Valley, the Housing Element and other portions of the General Plan text) and the ERC subcommittee recommended that a Negative Declaration be approved; and

WHEREAS, on September 12th, a notice of public hearing and intent to issue a Negative Declaration was properly published and noticed; and,

WHEREAS, on October 8th, an amended notice was published and distributed, and revised copies of the draft documents (Initial Environmental Study and Draft General Plan Amendment 90-2) were made available to the public for review and comment, in accord with Sections 65091, 65093 and 65512 of the California Government Code; and,

WHEREAS, on October 29, 1990, the Planning Commission held a public hearing on the Initial Environmental Study and Draft General Plan Amendment 90-2, heard testimony from members of the public and considered draft Resolution 36-90; and,

WHEREAS, it was moved by Commissioner Camprelli, seconded by Commissioner

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File, to recommend Town Council approval of the Initial Environmental Study (attached as Exhibit "A"), and this motion was approved by the Planning Commission of the Town of Moraga on October 29, 1990, by the following vote:

AYES: Camprelli, De Priester, Fels, Hainley, Harris, Majchszak

NOES: None

ABSTAIN: Sperling

ABSENT: None; and

WHEREAS, it was further moved by Commissioner Fels, seconded by Commissioner Hainley, to direct staff to prepare a final draft resolution to reflect the consensus expressed in the Commission discussion regarding "Draft Revisions to the Moraga General Plan Adopted 8/15/90 - GPA 90-2 - 11/5/90 Draft", attached as Exhibit "B", for adoption on November 5, 1990; and,

WHEREAS, the above motion was approved by the Planning Commission of the Town of Moraga on October 29, 1990, by the following vote:

AYES: De Priester, Fels, Hainley, Harris, Majchszak

NOES: Camprelli

ABSTAIN: Sperling

ABSENT: None

NOW, THEREFORE BE IT RESOLVED, by the Planning Commission of the Town of Moraga as follows:

SECTION 1. On the basis of the Initial Study and the comments received at the public hearing, there is no substantial evidence that the project will have a significant impact on the environment and the Planning Commission recommends that the Town Council approve a Negative Declaration for General Plan Amendment 90-2.

SECTION 2. The Planning Commission recommends to the Town Council the adoption of Draft General Plan Amendment 90-2, as reviewed by the Planning Commission on October 29, 1990, and amended as follows:

1. Wherever "density transfer" is used throughout the General Plan, change to "transfer of development rights" and add "(formerly referred to as 'density transfer') where first mentioned on page 1-4, Section 11 (a)."

2. Revise Section 11 (c), page 1-5, to add "low income" to "limited income or limited means", to replace "the nine county Bay Area" for "Contra Costa County" as the basis for calculating median income, and to replace "the Association of Bay Area Governments or by an appropriate State agency" for "Department of Housing and Urban Development" as the source of median income data. Also add a definition of "moderate income" and cite an authoritative source for these definitions.

3. On page 1-48, add section item #28 to the Housing Element to "Establish a Housing Committee to develop a workable program to encourage and facilitate the production of housing affordable to low- and moderate-income people."

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4. In Section 3.600 of the Technical Appendix to the Housing Element, in the third paragraph, the second sentence is revised to read: "Because it is expected that more sites, especially the more buildable sites, will be processed earlier in that 20 year period, a target of 322 units is selected for the seven year period from 1990 to 1995."

5. In Section 3.600 of the Technical Appendix to the Housing Element, in the last paragraph, the fourth line is revised to delete "in January 1993" and the last line is revised to change "item" to "items" and to add "and #28".

6. In Section 3.610 of the Technical Appendix to the Housing Element, the first paragraph is revised to add "on a project specific basis" and to delete "from eight units per acre (including density bonus) to twelve units per acre."

7. Add a new Section 3.650 to the Technical Appendix to the Housing Element: "Establish a Housing Committee to develop a workable program to encourage and facilitate the production of housing affordable to low- and moderate-income people."

8. Correct miscellaneous typographic errors.

SECTION 3. This Resolution becomes effective immediately upon its passage and adoption by the Planning Commission.

ADOPTED by the Planning Commission of the Town of Moraga on November 5, 1990, by the following vote:

AYES: De Priester, Fels, Hainley, Harris, Majchszak

NOES: Camprelli

ABSTAIN: Sperling

ABSENT: None

*David W. Suber*  
David W. Suber  
Secretary

F:\VC-RESO\RES36-90

Note: Exhibits and reference documents are on file at the Town Planning Office, 350 Rheem Blvd., Suite 2.

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## Resolution No. 39-90 TC Determining that a Negative Declaration is the appropriate environmental document and adopting General Plan Amendment 90-2 File No. 90-27001

### BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of: Resolution No. 39 - 90 TC  
Determining that a Negative Declaration is the appropriate environmental document and adopting General Plan Amendment 90-2  
File No. 90-27001

WHEREAS, on July 11, 1990, the Town Council certified the Final Environmental Impact Report for the revised General Plan; and

WHEREAS, on August 15, 1990, the Town Council adopted a revised General Plan, by Resolution 25-90 TC; and

WHEREAS, Resolution 25-90 TC contains the following determination, among others:

"8. The August 7, 1990 letter from the Department of Housing and Community Development and the Indian Valley Study Area are referred to the General Plan Subcommittee. The General Plan Subcommittee shall review these two issues and prepare a report and recommendation, together with the appropriate environmental document, for any changes or modifications to the Town of Moraga General Plan, August 15, 1990. The recommendations of the General Plan Subcommittee shall be submitted to the Planning Commission for review and recommendation to the Town Council after holding noticed public hearing(s) as required by State law and shall be considered by the Town Council after holding appropriate noticed public hearing(s) as required by State law. The Town Council directs that the review and recommendation process identified above be completed as expeditiously as possible so that the recommendations of the Planning Commission are forwarded to the Town Council for consideration at a Council meeting closest to 120 days from the effective date of this resolution.";

WHEREAS, on August 27th and September 3rd and 6th, the General Plan Subcommittee (renamed "General Plan Committee") met to review the letter from the Department of Housing and Community Development and to consider data presented by consultants and staff; and,

WHEREAS, on September 4, 1990, the Environmental Review Committee (ERC) subcommittee met with staff and consultant to consider an Initial Environmental Study on General Plan Amendment 90-2 (consisting of proposed revisions to the General Plan Diagram for Indian Valley, the Housing Element and other portions of the General Plan text) and the ERC subcommittee recommended that a Negative Declaration be approved; and

WHEREAS, on October 29, 1990, the Planning Commission held a properly noticed public hearing on the Initial Environmental Study and Draft General Plan Amendment 90-2, heard testimony from members of the public and directed staff to prepare a resolution for adoption on November 5, 1990, recommending Town Council approval of the Initial Study and General Plan

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Amendment 90-2; and,

WHEREAS, on November 5, 1990, the Planning Commission adopted Resolution 36-90 PC, which recommends Town Council approval of the Initial Environmental Study, Negative Declaration and General Plan Amendment 90-2, as amended; and,

WHEREAS, on November 14, 1990, the Town Council held a properly noticed public hearing on the Initial Environmental Study, Negative Declaration and draft General Plan Amendment as recommended by the Planning Commission, received written and oral comments, evaluated the comments and directed that certain revisions be made to the draft Amendment.

THE TOWN COUNCIL DOES THEREFORE RESOLVE AS FOLLOWS:

Section 1. Approves the Initial Environmental Study, attached as Exhibit A, and determines that a Negative Declaration is the appropriate environmental document.

Section 2. Directs staff to file the Notice of Determination in accord with the California Environmental Quality Act (CEQA) and the State environmental guidelines.

Section 3. Adopts General Plan Amendment 90-2, attached as Exhibit B.

Section 4. This resolution becomes effective immediately upon its adoption.

ADOPTED by the Town Council of the Town of Moraga on November 14, 1990, by the following vote:

AYES: Croesley, Dessayer, Moe, Sweeney

NOES: Avanzino

ABSTAIN: None

ABSENT: None

*Rose Hubbard*  
Rose Hubbard, Town Clerk

Note: Exhibits and reference documents are on file at the Town Planning Office, 350 Rheem Blvd., Suite 2

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AUGUST 15, 1990 and NOVEMBER 14, 1990 MORAGA GENERAL PLAN - 5



# ADMINISTRATION AND INTERPRETATION OF THE GENERAL PLAN

**Section 1.** The General Plan as a Policy Guide. The General Plan is a policy document to be used as a guide by public officials in the preparation of precise plans, determining public facility needs, adoption of pertinent laws and ordinances, and by citizens in the development of land. The General Plan should be followed as closely as reason, justice and its own general character make practical and possible.

The General Plan Diagram is not a map, although certain diagrams may be to scale; uses or alignments should not be measured directly. In cases where the General Plan Diagram designation is not definitive, the Planning Commission shall make a determination as to the designation of a particular property.

**Section 2.** The General Plan is General, Long-Range and Comprehensive. The General Plan is not a precise plan nor a zoning ordinance. It is general in that policies implicit in the Plan relate generally to lands and do not normally define explicit locations or alignments; the Plan is long-range in that it projects land use and service relationships into the future by 20 to 25 years (sometimes described as a "horizon" or "ultimate development" plan); the Plan is comprehensive in that it deals with all land use relationships, public and private. More precise policy determinations are made through the adoption of area plans, development policy statements, specific plans, or implementing ordinances. The General Plan is not intended to and does not take any land for public purposes or place a cloud on the title to any property or require that any property be sold or dedicated to the public.

**Section 3.** The General Plan Clients. The General Plan should be used by all agencies and individuals having duties, responsibilities or activities related to matters covered by the Plan. It is most effective when used as a reference for coordinating community growth patterns. Any proposed development project is to be evaluated against the General Plan taken as a whole, and all of the goals and policies of the General Plan may apply to any project.

**Section 4.** Annual Review. The General Plan is the most significant policy document that a city has and, therefore, must receive regular, annual appraisal to ensure that its policies are consistent with social and economic conditions, the needs and desires of the people and their welfare in general.

The Planning Commission shall hold at least one public hearing the fourth Thursday of October each year to consider any amendments to the Plan. Exception to this procedure may be authorized by the Town Council or the Planning Commission when a finding is made that it is in the public interest to expedite the processing of a General Plan amendment. In accordance with State planning law, General Plan amendments may be considered no more than three (3) times per year and applications shall be in accordance with Section 7, below.

**Section 5.** Annual Report regarding Status of General Plan. The Planning Commission shall render an annual report to the Town Council

regarding the status of the General Plan and progress in implementing its action programs, and shall hold at least one public hearing thereon. Such procedure shall promote public interest and understanding of the General Plan and its interpretation.

**Section 6.** Amendments to the General Plan. Amendments to the General Plan may take the form of: 1) changes in the text of the Plan, such as goals, policies or actions; 2) changes in the Diagram; 3) refinement of either 1 or 2 above or refinement through the development and adoption of specific area plans.

**Section 7.** General Plan Amendment Application. Applications for annual General Plan amendments shall be filed no later than the first Monday in August each year on appropriate forms provided by the Town. Fees shall be as prescribed by resolution of the Town Council. The Planning Commission may waive the requirement for a fee if an application is accompanied by a petition of not less than fifty (50) affected registered voters of the Town. Each application shall be accompanied by statements and data justifying the application, including an appropriate environmental assessment. Upon receipt of the application by the Planning Commission, the application shall be reviewed by the Environmental Review Committee to assure compliance with the Town Environmental Review Guidelines and the California Environmental Quality Act.

**Section 8.** Findings to be made by the Planning Commission and Town Council. General Plan amendments affect the entire Town and General Plan area and any evaluation must give primary concern to the community as a whole; therefore, a fundamental question must be asked in each case: "Will this amendment, if adopted, generally improve the quality of the environment socially, economically and physically consistent with the life-style of the community in general?" Additionally, the Town in reviewing General Plan amendments shall consider the relationship of the proposal to the status quo, the additional costs to the community that might be anticipated (social, economic or environmental) and if and how levels of public and private service might be affected. In each case, in order to take affirmative action regarding the General Plan amendment application, it must be found that:

(a) the General Plan amendment will maintain a balanced and logical land use pattern;

(b) the General Plan amendment will generally improve the quality of the environment socially, economically and physically, and is consistent with the life-style of the community;

(c) the Town and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service.

**Section 9.** Consideration of Alternate Land Use Proposals. The Planning Commission at its discretion, in order to maintain reasonable flexibility over the Plan and to keep within the basic tenets of the Plan, and in order to preclude the necessity of processing a General Plan amendment, may consider such alternate land uses as research, educational, recreational, adult residential community and institutional uses. These uses may be consistent with

the spirit and purpose of the General Plan. All of these following findings shall be made in the affirmative.

That the alternate Land Use Proposal:

(a) is consistent with Section 8 of the Administration and Interpretation portion of the General Plan;

(b) constitutes a contiguous land area of not less than 50 acres under a single ownership or unified control;

(c) should not adversely affect the Town's tax base;

(d) in all probability would have a low risk of fostering a civil disturbance;

(e) would not create a need for significant additional infrastructure;

(f) would not create a need for significant energy requirements that could not be readily served from the site without an adverse visual impact;

(g) would function in such a manner that the hours of operation would not adversely affect the peace and tranquility of the Town in general and the neighborhood in particular;

(h) would not adversely affect the air quality of the Town or environs;

(i) would be able to dispose of any by-products in a manner that would be consistent with the best available technology and not harmful to the environment;

(j) would not create light, noise or vibration in excess of the otherwise permitted Land Use designation on the General Plan;

(k) would be able to mitigate minor adverse impacts through location, site design, landscaping, access, open space buffer and agreements, hours of operation and similar measures;

(l) would improve the carrying capacity and level of service of the area's street system in relation to the Land Use otherwise permitted by the General Plan;

(m) would not involve a change in density as reflected on the General Plan Diagram;

(n) would be of benefit to the community.

**Section 10.** California Environmental Quality Act. All development proposals are subject to the California Environmental Quality Act and the purpose of the process is to assure that major consideration is given to preventing environmental damage and that impacts are properly identified and can be mitigated to a level consistent with the Goals and Policies of the General Plan.

**Section 11.** Interpretation of the General Plan. The following definitions shall be utilized in interpreting and implementing the General Plan:

(a) The Theoretical Residential Holding Capacity of a property is a planning tool to identify the potential, although theoretical, number of residential dwelling units which might be developed on a piece of property. The number is determined by multiplying the gross acreage of a property, exclusive of roads, by the



residential density indicated on the General Plan Diagram. The number derived from this calculation shall not be the basis for transfer of development rights (formerly referred to as density transfer). The actual amount of acreage that may be subject to development will be determined at the time of the consideration of a development proposal when more precise information is available. The actual number of residential units which may be developed may be greater or less than the Theoretical Residential Holding Capacity, based upon information obtained through the appropriate environmental review process, including constraints identified by this General Plan and supporting studies and from the Town's Development Capability Maps and site development standards, as expressed in the Town's adopted ordinances and resolutions.

(b) The General Plan Diagram is a multi-colored or multi-patterned map of the planning boundaries of the Town which is a visual representation of some, but not all, of the elements of the General Plan. The Diagram is not intended to establish precise boundaries of the various sub-areas of the Town but only their general locations. The actual boundaries of each of the land uses, the precise location of the circulation system, and details of the other elements will be determined more precisely by reference to the approved zoning map and/or subdivision proposals which have already been approved and developed, and in the context of consideration of development proposals for particular properties. An understanding of the General Plan Diagram and its relationship to the various elements can be achieved only by reviewing it in conjunction with the text of each of the Elements of the General Plan.

(c) Multi-family residential refers to areas that are designated on the General Plan Diagram as six (6) dwelling units per acre. Such areas may also be used for single family residential development.

(d) Transfer of Development Rights is the process whereby development rights may be transferred from lands designated on the General Plan Diagram as Open Space or 1, 2, or 3 dwelling units per acre, but only when the Town Council finds that such transfer will result in the dedication, protection and preservation of open space and when appropriate guarantees are provided by the developer that the land shall be permanently preserved as open space.

Development Rights may be transferred to lands designated 1, 2, 3 & 6 dwelling units per acre, but such transfer may not increase the Theoretical Residential Holding Capacity determined by the initial calculation described above in Paragraph (a) by more than 30%. Development Rights may not be transferred to geologically hazardous areas or to any area designated Open Space on the General Plan Diagram.

(e) Density Bonus. A density bonus is a specific number of dwelling units that may be added to the Theoretical Residential Holding Capacity of a multi-family residential parcel, designated 6 DU/acre on the General Plan Diagram. Such density bonus is awarded when the Town finds that a project makes a contribution in accordance with Goal 2, Policy 16, of the 1986 Housing Element. Density Bonus may not increase the permitted density by more than 30% over the initial calculation described above in Paragraph (a).

(f) Low-Income, Limited Income or Limited Means. These terms may be used interchangeably to refer to household income, with adjustments for size, which does not exceed 80% of the median household income for all of the nine county Bay Area based on data reported by the U.S. Census and periodically updated by the Association of Bay Area Governments or by an appropriate State agency. "Moderate-income" is defined as household income which does not exceed 120% of the Bay Area median. [California Administrative Code, Title 25, Sec. 6928 and 6930.]

(g) Ridgelines. A major ridgeline means the center line or crest of the ridges known as Indian Ridge, Sanders Ridge, Mulholland Ridge and Campolindo Ridge, where the crest is above 800 feet above mean sea level and within an area designated Open Space on the General Plan Diagram.

A minor ridgeline means the center line or crest of any ridge other than those identified as "major ridgelines," where the crest is above 800 feet above mean sea level and within an area designated Open Space on the General Plan Diagram.

(h) Residual Parcel. A residual parcel is defined as a vacant lot of record of ten (10) acres or less in an area that is generally bounded by existing development.

(i) Cluster Housing is defined as single family dwelling units sited on less than the minimum size lots permitted by the General Plan for any given parcel, in order to preserve open space. The units may be free-standing or attached; there shall be no more than three (3) units attached.

(j) High Risk Areas are those areas identified by the Town Council as High Risk Areas in accordance with the Moraga Open Space Ordinance (MOSO).

(k) Development means the placement, discharge or disposal of any material, the grading or removing of any material, the change in the density or intensity of use of land, the subdivision of land, or the construction or erection of a structure. Development does not include (1) work necessary to eliminate or prevent a condition which is determined by the Town to be a menace to life, limb or property or adversely affects the safety, use or stability of a public way or drainage way or channel; (2) establishment of a fire trail approved by the Moraga Fire Protection District; or (3) construction of roadways, driveways, underground utilities and/or the improvement of recreational facilities offering a public amenity provided these have been approved by the Planning Commission.

(l) Lamorinda Area refers to the Lafayette-Moraga-Orinda area, consisting of all three jurisdictions.

(m) Region refers to the nine county San Francisco Bay Area, including the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

(n) Geologic Hazards are geologic conditions which could lead to, among other things, land flow or creep, surface erosion, creek erosion, fault movement, shrink/swell of soils and sub-surface water conditions which could

have an impact on the safety and welfare of the Town.

(o) Performance Standards are defined as rules or guidelines that are measurable and are used to determine compliance with regulations or conditions of approval established by the Town. Examples include noise measurements and traffic levels of service.

(p) Building height is the maximum vertical distance measured on any building from the roof surface or parapet walls to the finished ground elevation directly beneath.

**Section 12. Sphere of Interest.** Moraga's Sphere of Interest includes all areas where land use decisions are deemed to have a significant impact upon Moraga. It includes those lands that can be seen from Moraga, provide access to Moraga, have their primary source of access through Moraga, may contain uses that significantly affect the air, water or other environmental quality of Moraga and/or could create demands for public service from Moraga. Such areas may be located within adjacent incorporated or unincorporated portions of the county. Unincorporated areas may be considered for annexation when it is deemed that such areas are proper sites for development. When development is proposed on lands located within Moraga's Sphere of Interest, Moraga shall seek to participate in the planning process.

## LAND USE ELEMENT

### Residential

**GOAL 1 -** To provide and promote a residential environment consisting primarily of detached single family dwellings.

#### POLICIES:

- 1) New residential development and additions to existing structures shall not adversely affect existing residential development.
- 2) New residential development should be primarily conventional detached single family homes.
- 3) No residential building shall have more than one story or portion thereof directly over another story, inclusive of garages.
- 4) Residential development patterns should emphasize the relationship of living units to open space.
- 5) Residential densities depicted on the General Plan are the maximum allowable. The densities reflected are not guaranteed and are contingent upon environmental constraints, the availability of public services and acceptable service levels, proper site planning and the provision of suitable open space and recreational areas consistent with the applicable Goals and Policies of the General Plan.
- 6) When appropriate and possible, the density and design of subdivisions in selected locations may provide for the keeping of horses.
- 7) Animal ownership and maintenance on residential land is a privilege and will be controlled in a manner consistent with surrounding land use and the well-being of the animals.



8) The zoning mechanism for all new residential development on parcels in excess of ten (10) acres shall be by Planned District Zoning. The Planning Commission may, at its option, require any residential development to be processed by Planned District when issues relating to access, visual impact, geologic hazards, environmental sensitivity and other related factors are deemed to be significant.

9) Notwithstanding any other provision of the General Plan, any development on lands depicted on the General Plan Diagram or by the Moraga Open Space Ordinance as "Public Open Space-Study" or "Private Open Space" (now designated as Open Space-M) shall be limited to a maximum density of one (1) dwelling unit per twenty (20), ten (10) or five (5) acres, but in no case shall density on such lands exceed one (1) dwelling unit per five (5) acres. Areas identified as "high risk" areas, as defined by the Moraga Open Space Ordinance, shall be limited to a maximum density of one (1) dwelling unit per twenty (20) acres.<sup>1</sup>

10) The densities depicted on the General Plan Diagram for other than multi-family residential (6 DU/Acre) shall be construed to mean conventional detached single family residential development.

Minimum lot sizes shall be as indicated in the following table. The permitted mix of lot sizes may differ from the percentages indicated, provided the aggregate number of lots proposed does not exceed 100% of Theoretical Residential Holding Capacity, as initially calculated.

General Plan Diagram Designation	Minimum Lot Size and Lot Size Percentage Mix
Open Space	40,000 sq. ft.
1 DU/Acre	30,000 sq. ft. 45% minimum 20,000 sq. ft. 45% maximum 10,000 sq. ft. 10% maximum
2 DU/Acre	20,000 sq. ft. 45% minimum 15,000 sq. ft. 45% maximum 10,000 sq. ft. 10% maximum
3 DU/Acre	10,000 sq. ft.
6 DU/Acre	10,000 sq. ft.

In implementing the preceding table, the following qualifications shall apply, if supported by environmental analysis:

a) Additional 10,000 square feet or larger lots may be allowed beyond the percentages listed in the Table to accommodate Transfer of Development Rights or Density Bonus.

b) Where Transfer of Development Rights or Density Bonus is not used, any percentage category listed in the Table may be increased, with the approval of the Town Council, by no more than 20% of the specific percentage listed above so long as the total

allowable lots are not increased in the aggregate.

c) In 2 DU/Acre and 3 DU/Acre categories, up to 10% of the total units may be clustered on lots less than 10,000 square feet, subject to Planning Commission review and approval by the Town, so long as no more than three (3) units maximum are attached as a building group and they are not contiguous to existing detached single family development.

d) In 3 DU/Acre areas, the number of units to be attached may exceed three (3), but only when the site is contiguous to high density development (commercial and/or multi-family residential) and the design is found to be compatible with existing contiguous development.

e) Generally, smaller lots should be on the more level sites and larger lots on the steeper slopes. Lot sizes may be required to be larger in order to mitigate negative visual impacts and/or geologic hazards.

f) The soil characteristics in Moraga are prone to landslide conditions which can cause damage to property, injury to persons, public cost and inconvenience; therefore, development shall be avoided on slopes of 20% or steeper, but may be permitted if supported by site-specific geotechnical analysis. No residential structures shall be placed on slopes of 25% or steeper. Grading for any purpose whatsoever may be permitted only in accordance with an approved development plan that is found to be geologically safe and aesthetically consistent with the Town's Design Guidelines. Special consideration should be given to grading for projects that will provide outdoor recreational facilities with guaranteed permanent access to the general public.

g) Lot sizes in areas designated "Open Space" on the General Plan may be less than 40,000 sq. ft., but not less than 15,000 sq. ft., when part of an overall project that will provide outdoor recreational facilities with guaranteed permanent access to the general public.

h) Preceding subsection (b) notwithstanding, the mix of lot sizes for projects incorporating major outdoor recreational facilities shall be as determined appropriate by the Planning Commission.

GOAL 2 - To permit a limited amount of cluster housing where it does not impinge upon or adversely affect existing detached single family environments.

#### POLICIES:

1) Cluster housing may be permitted in areas designated Open Space or Residential on the General Plan Diagram, in order to provide permanent open space.

2) Cluster housing should not be placed in locations that are found to be visually prominent from the scenic corridor.

3) Development of cluster housing shall not adversely impact the views from existing residential areas.

GOAL 3 - To discourage development on lands served by Bollinger Canyon Road pending the

adoption of Town and County General Plan amendments to determine the proper residential holding capacity and conditions of development of the subject area.

#### POLICY:

1) Development to be served by Bollinger Canyon Road is conditional upon the provision of an additional access route to serve the area from St. Mary's Road, and no additional residential development served by Bollinger Canyon Road shall be permitted until amendments occur to the Town and County General Plans.

GOAL 4 - To permit the development of residual parcels only when it is found that such development will not have an adverse visual impact and is compatible with existing development and environmental safety.

#### POLICIES:

1) Development of residual parcels shall provide properly sited open space and generally should provide for lots that are larger than the average lot size of adjacent subdivisions, with setbacks from property lines greater than those in adjacent subdivisions.

2) Residual parcels characterized by such constraints as geologic hazards, restricted access, an established riparian habitat, an historically significant feature or visibility from a scenic corridor, shall be designated Open Space.

3) Development on residual parcels shall take special care to respect the natural features and development patterns of surrounding areas.

GOAL 5 - To manage growth consistent with the capability of the community to provide proper services while maintaining a high quality of life and environment.

#### POLICY:

1) Development projects shall be evaluated in relation to the availability of services to meet the need.

## Commercial

GOAL 6 - To provide for a commercial environment that is compatible with the predominantly residential character of Moraga.

#### POLICIES:

1) The maximum height for office and commercial structures shall be two stories or 35 feet, whichever is less, unless such height is found to create a significant adverse impact on neighboring residential properties or on scenic corridors, and in such cases, the maximum height shall be lower.

2) Office and commercial areas shall be master-planned when development on a phased basis is proposed.

3) Commercial uses should have access directly from major arterials, and traffic generated by the use should not traverse existing residential neighborhoods.

4) Commercial uses should be properly

<sup>1</sup> MOSO (Moraga Open Space Ordinance) wording.



buffered from adjacent noncommercial uses.

5) Commercial development may be permitted if the service to the community is found to outweigh any adverse impacts associated with the use.

6) Automobile service and related uses may be permitted only in locations where any needed outside areas are properly screened from view and the use is found to be compatible with other neighboring uses. Noise, light, glare and other adverse characteristics of the use shall be properly mitigated.

7) Commercial storage uses may be permitted only if found:

a) to be consistent with Town Design Guidelines,

b) to be compatible with and screened from neighboring properties and streets,

c) to be sized to serve the needs of Moraga residents, and

d) to assure adequate maintenance and security.

**GOAL 7 - To encourage a working environment that is oriented primarily toward serving the needs and market demands of Moraga residents and businesses.**

**POLICIES:**

1) Tax revenue associated with employment uses should not be considered as the most significant factor in evaluating the propriety of a use.

2) Business and office enterprises should be encouraged that are low in intensity and can employ local residents.

**GOAL 8 - To permit additional commercial development that will strengthen and enhance existing commercial areas.**

**POLICIES:**

1) New commercial areas should be located in the vicinity of existing commercial areas.

2) New commercial development shall be permitted in locations that are consistent with the capacity of the Town's street system.

3) Commercial development should be permitted if it will maintain or enhance property values in the Town and promote social and economic stability.

4) Commercial development shall not be extended along major arterials because it promotes traffic congestion and cross traffic.

**GOAL 9 - To assure that all commercial development will take place in a setting that is generously landscaped and has substantial setbacks.**

**POLICIES:**

1) Landscaping within commercial areas

should be used to complement structures and existing street trees, and to create an attractive environment.

2) Landscaping should be dispersed throughout off-street parking areas to mitigate the adverse impact of large areas of paving and to provide shaded areas.

3) Landscaped areas should be provided that function as short-term rest areas for shoppers.

**GOAL 10 - To permit limited commercial uses in areas where they are found to be compatible with adjacent residential uses.**

**POLICIES:**

1) Lands designated as Limited Commercial on the General Plan Diagram shall be considered for those office, personal service, institutional, recreational and commercial uses that are compatible with one another and with residential uses. Such uses shall not generate significant volumes of traffic or noise, and shall be either located in a building or effectively screened from public view.

2) Uses permitted in limited commercial areas should be based on performance standards.

3) Uses permitted in limited commercial areas should not generate significant amounts of pedestrian traffic crossing main arterials.

**GOAL 11 - To provide a minimal amount of land areas for office and professional uses.**

**POLICY:**

1) Multi-family residential areas which are contiguous to commercial areas may include some office uses, but shall be implemented only on a planned district zoning basis.

**GOAL 12 - To promote the individuality of the two major shopping centers.**

**POLICIES:**

1) The Moraga Shopping Center should maintain the integrity of California Mission type architecture.

2) Complementary architectural design in the vicinity of the Moraga Shopping Center shall be encouraged.

3) The Moraga Ranch Properties should be designed to complement the existing historically significant rustic design.

4) Peripheral development adjacent to the "Park in Rheem Valley" commercial area may have a design that is different but complementary.

5) Shopping centers should have features that contribute to the feeling of "place".

**GOAL 13 - To avoid ostentatious, garish, bizarre, or advertising type architecture.**

**GOAL 14 - To give primacy to the design of buildings rather than signs, and require that**

signing be compatible with and not detract from the architecture.

## Institutional

**GOAL 15 - To promote and preserve those public and private institutional uses that serve the public interest, such as St. Mary's College, churches, and public and private schools.**

**POLICY:**

1) Building heights for areas designated "Community Facilities" on the General Plan shall be in accordance with an approved site master plan. Building heights for all other institutional uses shall be in accordance with the zoning district within which the structure is located.

**GOAL 16 - To permit institutional uses in locations that have easy access to and from the community and make proper provision for off-street parking and circulation.**

**POLICIES:**

1) Institutional uses should be located with direct access to major arterials.

2) Institutional uses should be designed to facilitate access by disabled residents.

**GOAL 17 - To site institutional uses so that they complement the natural environment.**

**GOAL 18 - To site institutional uses so that they will not intrude upon areas of adjacent land uses.**

**GOAL 19 - To assure that uses and buildings located in the vicinity of public safety facilities and training operations are compatible by design and siting.**

## Agriculture

**GOAL 20 - To permit those agricultural and horticultural uses that are found to be of low intensity and consistent with any adjacent residential area.**

**GOAL 21 - To preserve those agricultural activities that are compatible with adjacent uses.**

**GOAL 22 - To coordinate agricultural land use with adjacent development and with the preservation and promotion of permanent open space.**

**POLICY:**

1) When possible, development shall be designed to promote and preserve agricultural environments.

## ACTION PROGRAM FOR LAND USE ELEMENT

1) Revise zoning regulations, as needed, to maintain consistency with the General Plan.

2) Rezone lands within the Town, as



needed, to maintain consistency with the General Plan.

3) All subdivisions of more than ten (10) lots or within one (1) mile of an adjacent jurisdiction should be routinely referred to that neighboring jurisdiction for review and comment.

4) Routinely refer all Town Council, Planning Commission, Environmental Review Committee, Design Review Board and Safety Commission agendas to adjacent jurisdictions to encourage inquiry regarding proposals deemed to be of interest to the adjacent jurisdiction.

5) Strengthen the Zoning Ordinance to promote landscaping in commercial developments, specifically:

a) prescribe a ratio of trees per parking stalls in commercial parking areas;

b) prescribe a minimum number of feet of landscaped area between commercial developments and adjacent street.

6) Consider alternate uses for lands designated Limited Commercial which are consistent with performance standards and adjacent land uses.

## CIRCULATION ELEMENT

GOAL 1 - To promote a circulation and transportation system for the Town that will provide reasonable access to the Town, egress from the Town and internal movement.

### POLICIES:

1) Development that would cumulatively increase traffic congestion beyond an acceptable level of service on Town streets or on the major arterials leading into the Town shall not be permitted without acceptable mitigation measures.

2) New development shall pay the cost of improvements necessary to maintain adequate service levels in areas affected by said development.

3) The existing arterial street system within Moraga should be preserved and maintained. Circulation within the Town should be facilitated by improving the capacity of existing arterials rather than the designation and development of new routes.

4) St. Mary's Road should be improved primarily through appropriate modifications.

5) The structural adequacy, design and alignment of Rheem Boulevard between Moraga Road and St. Mary's Road should be studied at the time of a development proposal for abutting lands. The major portion of the costs for both the study and improvements shall be borne by the land developer.

GOAL 2 - To cooperate with neighboring communities and the County to improve circulation in the Lamorinda area.

### POLICIES:

1) A driveway or bedroom fee on new units may be levied to provide a fund for circulation

improvements in the Lamorinda area.

2) The attainment of General Plan goals is not contingent upon construction of new arterials.

3) Major funding for improved Bay Area transportation and circulation should be through County, State and Federal sources.

4) In concert with neighboring jurisdictions, identify actions and measures to mitigate the traffic density between Highway 24 and Moraga including a cost benefit analysis. Implement the agreed upon preferred alternatives, provided that such measures: (a) do not adversely affect internal circulation in Moraga; (b) provide relief to the most heavily traveled road segments and intersections; (c) are cost effective; (d) meet reasonable environmental concerns.

5) The Town shall support and work with a traffic study committee composed of representatives from Moraga and neighboring communities to study and recommend mitigation on all regional transportation matters including roads, buses, bikeways and trails.

GOAL 3 - To provide a circulation system both within and adjacent to commercial areas which promotes safety and minimizes traffic congestion.

### POLICIES:

1) The circulation system should be designed to discourage cross-traffic in the vicinity of shopping areas.

2) Ingress and egress to shopping centers should be carefully designed in order to promote traffic safety. Left-hand turning movements into and out of commercial areas should be minimized.

3) Prior to permitting additions to commercial areas, the Town should be satisfied that all applicable traffic engineering principles are considered and utilized to the fullest extent possible, not only outside the shopping center but also within the shopping center itself.

4) In no case should commercial development be permitted which would substantially increase traffic on the existing Town street system and major arterials leading into the Town unless there is a viable program to properly mitigate such traffic impacts.

GOAL 4 - To provide a safe and practical circulation system.

### POLICIES:

1) Routes serving alternate modes of transportation should be so designed that they are safe and, when possible, designed in conjunction with streets.

2) Sidewalks, paths and appropriate crosswalks should be located close to all schools and along all principal streets leading to schools and other areas with significant pedestrian traffic.

3) All street intersections shall be designed and maintained to assure adequate sight distance to and from approaching vehicles.

4) Private recreational and accessory vehicles should be parked off the public right-of-way and out of the front building setback in order to promote traffic safety and good visibility.

5) There should be emphasis on making streets safer for all users, including bicyclists, pedestrians and equestrians, through the use of all possible and practicable engineering improvements short of signalization and stop signs unless warranted.

6) A high level of traffic safety law enforcement should be maintained in order to reduce injury to persons and damage to property.

7) An educational program on traffic safety should be widely publicized and promoted in order to encourage the safe use of streets and highways.

8) When collector streets are required, residential development should be oriented away from streets and properly buffered so that the traffic carrying capacity of the street will be preserved and the residential environment will be protected from the adverse characteristics of the street.

9) Traffic from major new residential development should not be diverted through nor adversely affect existing neighborhoods.

10) All new subdivision roads shall conform to Town standards and be reviewed by the Moraga Fire Protection District for road widths, vertical and horizontal curves, bridges and sustained grades.

11) Alternate emergency access roads shall generally be required in developments greater than 40 units and shall be reviewed by the Moraga Fire Protection District.

12) New street names should not duplicate those street names already in use in the Lamorinda area.

13) Private streets may be permitted only when they are deemed to be in the public interest, are constructed consistent with Town street standards, are not gated or similarly restricted and provided their maintenance is guaranteed.

14) Driveway access to and from arterial roadways shall be minimized.

GOAL 5 - To provide circulation throughout the Town that is the least disruptive to existing residential areas while assuring that all of the Town has a level of access consistent with the need for public safety and general welfare.

### POLICIES:

1) Access to developing subdivisions should not significantly alter the environment along existing collector streets.

2) New development should minimize the use of curb cuts for direct access into any scenic corridor.

GOAL 6 - To provide a circulation system that utilizes a broad range of transportation modes.



## POLICIES:

- 1) Alternate modes of transportation, including bus, bicycle and walking, should be encouraged to reduce demands upon the street system.
- 2) Bikeways, hiking trails, bridle trails and walkways should be fully developed in order to broaden transportation options.
- 3) Adequate space for bus maneuvering, stopping and parking space shall be considered in conjunction with improvements to Town roads and construction of new roads.
- 4) Expanded use of the bus system to provide access to BART should be encouraged. The bus system should be efficient, comfortable, provide frequent and daily service, adequate and convenient parking facilities and other amenities that will encourage people to use the system.
- 5) Carpooling is encouraged.
- 6) Auto parking sites should be sought for pooling and to promote use of the bus system.

GOAL 7 - To preserve and promote the beauty of the Town's streets.

## POLICIES:

- 1) Regular periodic maintenance (including striping and proper marking of streets) shall be conducted to assure an orderly and neat appearance of streets and sidewalks.
- 2) Sign regulations to preserve and enhance the beauty of streets, adjacent areas, and view corridors shall be established.
- 3) Street improvement programs shall be established that include the construction of additional landscaped medians on major streets.
- 4) Bike lanes shall be designed to be safe and consistent with the landscaping themes of the major streets.

GOAL 8 - To give importance to the pedestrian, bike rider and equestrian and provide properly designed off-street facilities whenever possible.

## POLICY:

- 1) Pedestrian rest areas should be provided in locations that can serve shoppers and persons using public transit.

GOAL 9 - To assure that handicapped access to and in all commercial, office and apartment residential buildings is provided in accordance with Title 24 of the State Building Code.

## ACTION PROGRAM FOR CIRCULATION ELEMENT

- 1) Biennially conduct a major street repair and maintenance program.
- 2) Develop a local pedestrian, equestrian and bikeway plan and provide for its implementation.

3) Assist the local bus system in evaluating improvements which will increase its patronage and provide service on a daily basis.

4) Adopt a comprehensive traffic safety program.

5) Explore locations for parking for users of the bus system and drivers interested in carpooling.

6) Educate Town citizens regarding the impact of their vehicle use on traffic conditions in neighboring jurisdictions and encourage them to extend proper driving courtesy while utilizing Lafayette and Orinda streets.

7) Develop and implement a new Transportation Systems Management program.

8) Pursue joint efforts with neighboring communities to reduce their major traffic problems where Moraga traffic contributes significantly to such problems.

9) Promote the landscaping and beautification of the Town streets.

## OPEN SPACE AND CONSERVATION ELEMENT

GOAL 1 - To provide and preserve a substantial amount of open space throughout the Town of Moraga.

## POLICIES:

1) Areas designated on the General Plan Diagram as Open Space may be retained in private ownership, may be used for such purposes as are found to be compatible with the open space environment and may or may not be accessible to the general public.

2) Any use of or development on lands designated in the General Plan or by the Moraga Open Space Ordinance as "Private Open Space" or "Public Open Space-Study" (now designated as "Open Space Lands") shall be limited to a maximum density of one (1) dwelling unit per twenty (20), ten (10) or five (5) acres, but in no case shall density on such lands exceed one (1) dwelling unit per five (5) acres. Areas identified as "High Risk" areas, as defined in the Moraga Open Space Ordinance shall be limited to a maximum density of one (1) dwelling unit per twenty (20) acres. Transfer of Development Rights from Open Space Lands to other lands shall be encouraged; provided that in no event shall dwelling units be transferred to Open Space Lands or to "High Risk" areas. The Town Council shall identify "High Risk" areas after taking into account soil stability, history of soil slippage, slope grade, accessibility and drainage conditions.<sup>2</sup>

3) To the maximum extent possible, open space shall be preserved through acquisition, lease, dedication or the use of easements, regulation or tax incentive programs.

4) When practical, open space areas committed to public use should be interconnected and developed in conjunction with bicycle, hiking and equestrian trails.

5) Open space land may be used for farm animals when such usage does not have

adverse impacts upon adjacent residential areas or wildlife or the land itself.

GOAL 2 - To protect major and minor ridgelines through appropriate means which may include zoning, open space easements or purchase.

## POLICY:

1) Moraga's major ridgelines are highly visible throughout the Town and shall be included within areas designated as Open Space on the General Plan Diagram.

GOAL 3 - To provide and promote open space and recreational areas that are primarily oriented to the needs of Moraga residents.

## POLICIES:

1) Where appropriate and when consistent with other General Plan goals and policies, areas designated Open Space on the General Plan Diagram should be made available to the public for recreational use.

2) Areas designated Open Space on the General Plan Diagram should have minimal trail development and require minimal maintenance.

GOAL 4 - To preserve open space lands, to the maximum extent possible.

## POLICY:

1) In Open Space lands, development shall be prohibited on slopes with grades of twenty percent (20%) or greater and on the crests of minor ridgelines. The Town Council shall reduce the allowable densities on slopes of less than twenty percent (20%) through appropriate means such as requiring proportionally larger lot sizes or other appropriate siting limitations. For the purposes of this paragraph the term "minor ridgeline" means any ridgeline, including lateral ridges, with an elevation greater than 800 feet above mean sea level, other than a major ridgeline.<sup>3</sup>

GOAL 5 - To protect, preserve and maintain the natural resources and natural beauty of Moraga.

## POLICIES:

1) Development of all kinds shall be designed to be as compatible as possible with and to have a minimal adverse impact on the natural environment.

2) Projects shall be designed to fit the natural topography.

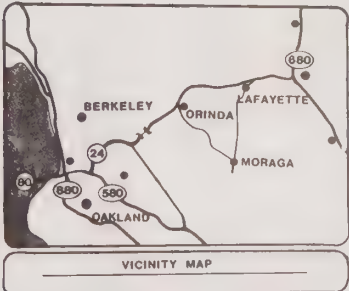
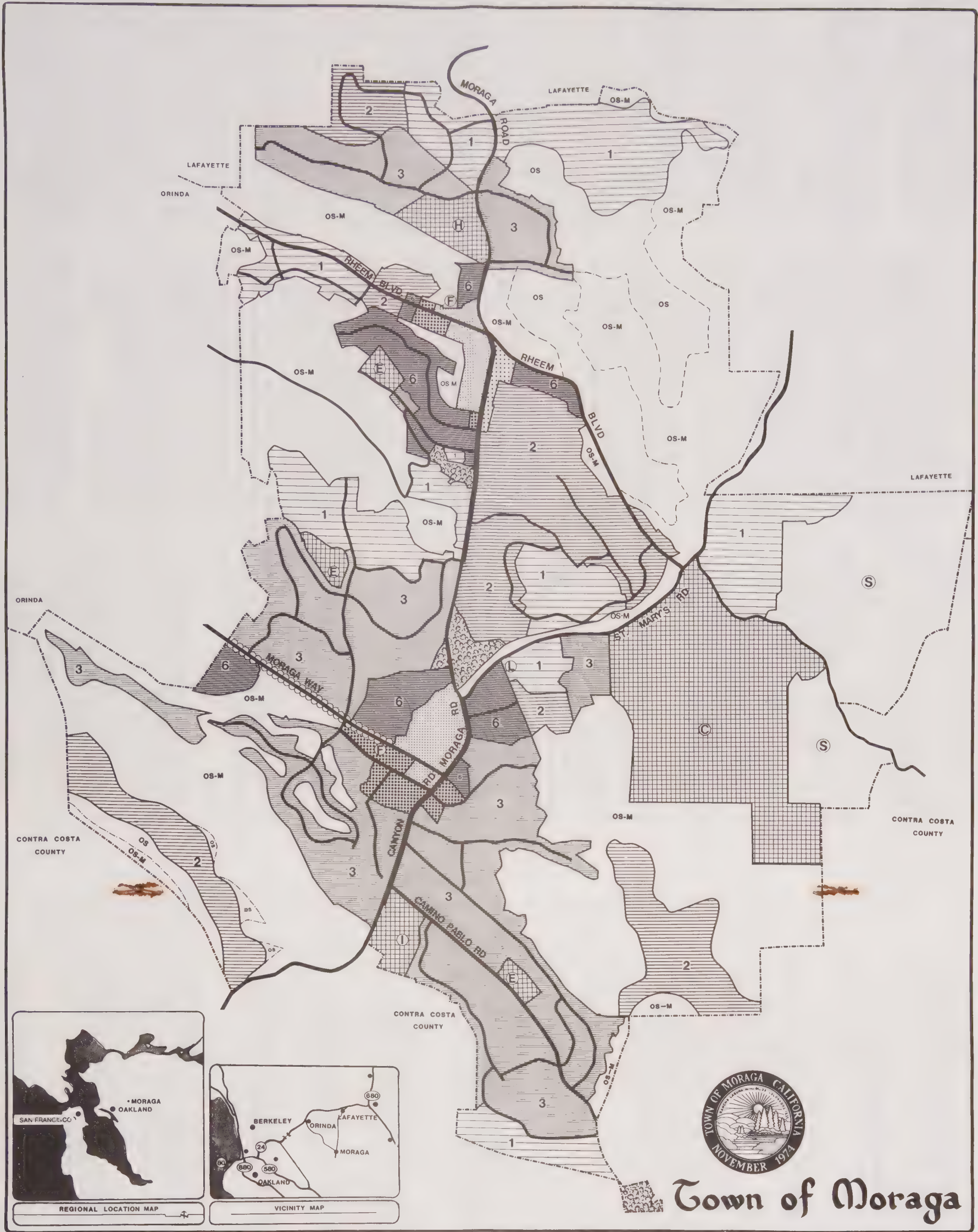
3) Development on slopes shall blend with existing grades and shall minimize cut and fill, except where necessary to restore previously cut slopes to a more natural topographic condition.

GOAL 6 - To encourage the protection and preservation of natural areas, including natural forested areas and significant tree life throughout the community.

<sup>2</sup> MOSO (Moraga Open Space Ordinance) wording.

<sup>3</sup> MOSO (Moraga Open Space Ordinance) wording.





Town of Moraga

## GENERAL PLAN DIAGRAM

SCALE IN FEET  
0 600 1200 1800 3000

MARTIN CARPENTER ASSOCIATES  
CITY AND REGIONAL PLANNERS

### RESIDENTIAL

- 1 SINGLE FAMILY ONE DWELLING UNIT/ACRE
- 2 SINGLE FAMILY TWO DWELLING UNITS/ACRE
- 3 SINGLE FAMILY THREE DWELLING UNITS/ACRE
- 6 MULTI-FAMILY SIX DWELLING UNITS/ACRE

### COMMERCIAL

- COMMUNITY
- LIMITED
- OFFICE

### PARKS AND OPEN SPACE

- OS OPEN SPACE LANDS
- OS-M\* OPEN SPACE LANDS
- PUBLIC PARKS
- SPECIAL LANDSCAPING

### CIRCULATION - ARTERIALS

- LOCAL
- TWO LANE - EXISTING
- FOUR LANE - EXISTING
- TOWN LIMITS

### COMMUNITY FACILITIES

- F FIRE STATION
- L LIBRARY
- C COLLEGE
- E I H SCHOOLS: E-ELEMENTARY I-INTERMEDIATE H-HIGH
- S STUDY AREA

NOTE: THE ACTUAL NUMBER OF RESIDENTIAL UNITS WHICH MAY BE DEVELOPED WILL BE BASED UPON INFORMATION OBTAINED THROUGH THE ENVIRONMENTAL REVIEW PROCESS, INCLUDING CONSTRAINTS IDENTIFIED BY THIS GENERAL PLAN AND SUPPORTING STUDIES, AND FROM THE TOWN'S DEVELOPMENT CAPABILITY MAPS AND SITE DEVELOPMENT STANDARDS. (FROM SECTION 11(A) OF THE GENERAL PLAN TEXT)

\*AS PER MORAGA OPEN SPACE ORDINANCE (M.O.S.O.)

GENERAL PLAN ADOPTED 8/15/90 BY TOWN COUNCIL RESOLUTION NO. 25-90  
GENERAL PLAN AMENDMENT APPROVED 11/5/90 BY PLANNING COMMISSION RESOLUTION NO. 36-90  
GENERAL PLAN AMENDMENT ADOPTED 11/14/90 BY TOWN COUNCIL RESOLUTION NO. 39-90





## POLICIES:

- 1) Development may be prohibited in locations where it will have a significantly adverse effect on wildlife areas.
- 2) Creeks, streams and other waterways shall be preserved in their natural state whenever possible.
- 3) Land development shall be consistent with the natural carrying capacity of creeks, streams and other waterways in order to promote the preservation of their natural environment.
- 4) When development is permitted in the vicinity of wildlife areas, appropriate mitigation measures shall be implemented to reduce any adverse impact upon the wildlife.
- 5) Certain areas recognized as having natural significance shall, insofar as possible, be preserved and protected. These areas include but are not limited to:
  - a) The Lake LaSalle area for its value as a scenic area and wildlife habitat.
  - b) Flicker Ridge for its significant contribution to the wildlife of the area and because it represents a unique knob-cone pine forest.
  - c) The remaining laguna environment of the Laguna de los Palos Colorados.
- 6) Consideration shall be given to the reintroduction into the natural environment of those wildlife species that could survive, would not be detrimental to the urban development, and which could be economically accomplished.
- 7) Trees shall be preserved and protected wherever they are located in the community as they contribute to the beauty and environmental quality of the Town.
- 8) Certain tree-covered areas shall be preserved or maintained substantially in their present form, especially with respect to their value as wildlife habitats, even if development in those areas is permitted. The retention of original growth is preferred to replanting. These areas include, but are not limited to:
  - a) Donald Drive/Mulholand Hill (both northeast and southwest slopes),
  - b) Indian Ridge,
  - c) Bollinger Canyon,
  - d) Sanders Ranch properties, and
  - e) St. Mary's Road northeast of Bollinger Canyon Road.
  - f) The "Black Forest" area located northerly of the terminus of Camino Ricardo.
- 9) Activities such as quarrying, which tend to erode the terrain or otherwise damage ecologically sensitive areas, shall be prohibited.
- 10) To the extent possible, open space areas shall be connected so that wildlife can have free movement through the area, bypass urban areas and have proper access to adjacent regional parks and related open space systems.

GOAL 7 - To assure that when the development potential of Moraga has been reached, the environmental quality of Moraga is as good or better than it is presently.

GOAL 8 - The underground water aquifers and recharge areas in the Town shall be protected.

## POLICIES:

- 1) Generally, all development shall be connected to a sewage system.
- 2) Septic tanks may be considered only in those areas where it has been confirmed by a competent technical counsel that effluent will not infiltrate underground aquifers.
- 3) Accumulation and dumping of trash, garbage, vehicle lubricant wastes and other materials which might cause pollution shall be strictly prohibited.
- 4) Streets and gutters shall be maintained to prevent accumulation of debris and litter.

GOAL 9 - To assure that water courses are maintained in their natural condition with minimum design and structural alteration.

## POLICIES:

- 1) The Town will utilize the counsel of the Contra Costa County Flood Control Agency to assure that design capacity of water courses is not exceeded.
- 2) Whenever possible, natural water course areas that will reflect a replica of flora and fauna of early historical conditions shall be preserved and protected.
- 3) Future major developments in the Town of Moraga should be engineered to reduce peak storm runoff to local creeks and streams, taking into consideration the design of the project, physical constraints of the site, the potential impact on public health and safety and the practicability of possible mitigation measures.

GOAL 10 - To encourage the use of transportation modes and establish other policies that preserve and maintain air quality.

## POLICIES:

- 1) Development projects shall be designed to conserve air quality and minimize direct and indirect emissions of air contaminants; e.g., direct emissions should be reduced through energy conserving construction which minimizes space heating; indirect emissions should be reduced from motor vehicle travel generated by the project.
- 2) Development projects which, separately or cumulatively with other projects, would cause air quality standards to be exceeded or would have significant adverse air quality effects through direct and/or indirect emissions, shall not be approved unless, after consultation with the Bay Area Air Quality Management District (BAAQMD), Town Council explicitly finds that the project incorporates feasible mitigation measures or that there are overriding reasons for approving the project.

- 3) Transportation modes which minimize motor vehicle use and the resulting contaminant emissions shall be encouraged; alternate modes to be encouraged include public transit, ride-sharing, combined motor vehicle trips to work and the use of bicycles and walking.
- 4) Employers shall be encouraged to foster employer-based transportation control measures such as ride-sharing, use of public transportation, bicycling and walking to work.

- 5) Public education programs that demonstrate the benefits of reduced air pollution shall be encouraged.

- 6) The use of vegetative buffers along roads shall be encouraged to assist in pollutant dispersion.

- 7) Smoking should be discouraged in enclosed public places and work places.

GOAL 11 - To provide increased setbacks along high intensity use roadways to reduce resident exposure to air pollutants.

GOAL 12 - To encourage systems and methods that will consume automobile and domestic fuels as efficiently as possible.

GOAL 13 - To encourage efficient use of water for landscaping and utilize drought-resistant plantings.

## POLICY:

- 1) Water conservation should be encouraged in connection with landscaping in commercial and residential areas, and in Town maintained property.

GOAL 14 - To encourage the preservation of East Bay Municipal Utility District Lands for watershed use.

GOAL 15 - To promote the preservation and protection of Moraga's historical resources.

GOAL 16 - To utilize zoning and related devices to promote historic preservation when appropriate.

GOAL 17 - To develop a street-naming plan that will be logical and, whenever possible, utilize names of historical significance to Moraga.

GOAL 18 - To promote and support educational and informational programs regarding Moraga's history that will help citizens to better understand and appreciate Moraga's past.

GOAL 19 - To utilize landscaping and urban design to assist in giving the Town form and continuity.

## POLICIES:

- 1) The medians of all of the Town's major arterials should be landscaped.
- 2) Locations should be selected through-



out the Town where vegetative masses can be located that will give "color spots" and natural beauty to the Town.

3) All overhead wiring should be converted to underground as soon as practical, except in extremely low density areas where the wiring can be screened out by selected tree planting and siting of utility poles.

4) The generous use of trees should be encouraged in commercial areas to create shade and improve the oxygen content of the air.

5) A design element should be prepared for the Moraga Commons that will recognize civic involvement.

GOAL 20 - To screen, where possible, utility installations located in the higher elevations and to avoid location on the ridges.

POLICY:

1) The location of antennae systems and radio towers should be severely restricted.

GOAL 21 - To avoid the siting of buildings in locations that will detract from or block scenic vistas.

POLICY:

1) Development proposed on hillsides shall be sensitive to the concerns of adjacent neighbors concerning their scenic views.

GOAL 22 - To maintain the semi-rural visual atmosphere of the Town.

POLICIES:

1) New development should visually blend into the natural environment and contiguous development.

2) New development should not create a feeling of excessive height and dominance over the natural terrain.

3) New development should not visually impact the open view of the Town's ridges and hilltops.

4) Development on slopes should blend with existing grades and minimize cut and fill.

5) New development should give primacy to the natural terrain and its vegetation, rather than buildings.

6) Landscaping programs complementary to the natural environment should be encouraged.

GOAL 23 - To protect the scenic beauty of the Town against the intrusion of man-made grading features.

POLICY:

1) Retaining walls, when permitted in connection with new or existing development, shall:

a) blend with the natural terrain, avoid an artificial or structural appearance and

not be a significant visual feature,

b) be appropriately screened by landscaping, and

c) not create a tunnel effect nor exceed human scale.

## ACTION PROGRAM FOR OPEN SPACE AND CONSERVATION ELEMENT

1) Revise Zoning and Subdivision Ordinances and Design Guidelines to assure consistency with Open Space Goals and Policies.

2) Develop and adopt a program directed toward the preservation and/or protection of major and minor ridgeline areas.

3) Pursue the acquisition of appropriate interests in open space lands.

4) Develop a program relating to the acquisition of appropriate interests in the most significant ridge and steep slope areas in Moraga.

5) Develop ordinances or guidelines, as appropriate, to preserve and protect significant wildlife, open space and waterway areas.

6) Develop a comprehensive tree planting program.

7) Continue to publicize programs and practices that will avoid environmental pollution.

8) Develop and implement policies to preserve agricultural lands, open space easements and scenic easements.

9) Publicize energy conservation programs and practices.

10) Continue to utilize the Environmental Impact Report process to avoid environmental degradation.

11) Periodically evaluate the effectiveness and scope of the Town's non-smoking ordinance, and revise as appropriate.

12) Refer significant development proposals to the Bay Area Air Quality Management District for review, and maintain consistency with the Bay Area Regional Air Quality Management Plan, as updated from time to time.

13) Revise the Zoning Ordinance to limit amount of turf area in commercial areas and in planned unit developments.

14) Revise Design Guidelines to promote water conservation in landscape design and maintenance.

15) Utilize the Moraga Historical Society to assess opportunities for street name changes or assignments that can utilize historic names associated with Moraga's past.

16) Investigate means whereby the use and preservation of historic sites, trees and structures can be promoted and identified.

17) Assist with the sponsoring of public education programs regarding Moraga's history.

18) Provide recognition to citizens who have performed outstanding achievements regarding Moraga's historical resources.

19) Encourage recycling and resource conservation efforts.

## SAFETY ELEMENT

GOAL 1 - To provide for a suburban environment that is relatively free from hazards and as safe as practicable.

POLICIES:

1) Development shall be strictly controlled where there is any reasonable possibility, as determined by substantial evidence, that the site could be adversely affected by flooding, landslides or other soil instabilities and cannot be mitigated to levels of acceptable risk.

2) The Town shall cooperate with the Moraga Fire Protection District in developing standards and guidelines to assure adequate fire protection and the provision of medical and other emergency services for all persons and property in the community.

3) The Town will undertake such actions as necessary to become and remain qualified for Federally subsidized flood and mudslide insurance.

4) The Town may permit properly designed storage reservoirs for domestic water supply only in those locations that will pose no hazard to neighboring development.

5) The Town should identify any structures and conditions that are unsafe or constitute nuisances, and take measures to make them conform to appropriate safety codes or remove them.

6) Load limits shall be placed on all Town streets.

GOAL 2 - To develop guidelines that relate to the design and siting of buildings which will reduce opportunity for crime.

POLICIES:

1) The Town shall utilize design review procedures as one method to implement "defensible space" considerations.

2) The Town shall utilize all reasonable methods to educate the citizens to the benefits of "defensible space".

GOAL 3 - To aid prompt protection services by encouraging the placement of addresses so that they may be easily seen from the street.

GOAL 4 - To give the highest priority to those public improvements that are related to safety.

GOAL 5 - To avoid the use of the Moraga street system for the transmission of hazardous or toxic materials as defined by State and Federal regulations.



**POLICY:**

- 1) Permits shall be required any time that certain hazardous materials are proposed to be transmitted into or through the Town.

GOAL 6 - To make reasonable provision for the safety of persons and property in the event of an actual or threatened disaster.

**POLICIES:**

- 1) The Town will cooperate with the County Office of Emergency Services to develop appropriate emergency plans for fire, flood, geologic or other natural or man-caused event.
- 2) The Town shall participate, to the extent feasible, in programs relating to multi-jurisdictional disaster exercises.
- 3) New development proposals shall be evaluated to ascertain and mitigate problems associated with emergency response needs.

GOAL 7 - To create a process whereby the level of "acceptable risk" to life and property by potential hazards can be ascertained with appropriate citizen input.

**POLICIES:**

- 1) Development proposals shall include an environmental assessment that will permit an adequate understanding of associated seismic risks and the possible consequent public costs in order to determine the level of "acceptable risk". Public cost would be expressed in terms of effect on life and property.
- 2) The evaluation of existing and potential hazards shall include appropriate cost-effective data that are made available for citizen review and comment in order to determine what public resources should be allocated to mitigate risk conditions.

GOAL 8 - To encourage the installation of appropriate fire safety devices in all residences and require such installation at the time of original construction or resale.

GOAL 9 - Maintain a high level of fire and life safety within the Town of Moraga.

**POLICIES:**

- 1) The Town of Moraga and the Moraga Fire Protection District will cooperate in developing standards, guidelines and local ordinances to assure provision of adequate fire protection and emergency medical service for all persons and property in the community.
- 2) Two fire stations shall be maintained in the Town of Moraga. No additional fire stations will be built by the Moraga Fire Protection District.

GOAL 10 - Reduce the severity of fires, minimize fire loss, and provide adequate fire protection for housing, businesses and public buildings in the community.

**POLICIES:**

- 1) An emergency response driving time of 3 minutes and/or a travel distance of not more than 1-1/2 miles shall be considered the maximum time and/or travel distance for fire units from the closest fire station to arrive and effectively control fires and other emergencies in the community.

- 2) The fire-fighting forces of the Moraga Fire Protection District shall be deployed to deliver a maximum fire flow of 1,000 gallons of water per minute which shall be considered adequate for attacking and controlling fires in structures with a maximum unprotected fire area of 5,000 square feet.

- 3) Major fires requiring fire flows in excess of 1,000 gallons of water per minute will exceed the initial fire attack capability of local fire-fighting forces and structures involved in such fires are expected to incur major fire damage unless protected by fire resistive interiors and fire sprinkler systems.

GOAL 11 - Insure that newly constructed buildings do not add significantly to the present level of fire risk in the community or exceed the fire-fighting capabilities of the Moraga Fire Protection District.

**POLICIES:**

- 1) To prevent major fires in the community, specialized built-in fire protection systems will be required in all new buildings constructed more than 1-1/2 miles travel distance and/or more than 3 minutes response time from the closest fire station, and in all new construction exceeding an aggregate total of 5,000 square feet of unprotected fire area.
- 2) Access for fire-fighting vehicles to all new developments shall be provided in accordance with fire access standards of the Town of Moraga and the Uniform Fire Code.
- 3) All new traffic signals shall be equipped with preemptive devices for emergency response services. Existing traffic signals significantly impacted by new developments shall be retrofitted with preemptive devices at developer's cost.
- 4) The Moraga Fire Protection District shall review all proposed construction projects at the beginning of the Town review process and before permits are issued. The fire district may submit conditions of approval for such projects to require that:
  - a) There is an adequate water supply for fire-fighting.
  - b) Road widths, road grades and turnaround radii are adequate for emergency vehicles.
  - c) New structures are built to the standards of the Uniform Building Code, the Uniform Fire Code, State Regulations, and other applicable Local Ordinances and Standards regarding the use of fire-resistant materials, wildland fuel management, fire detection, warning, extinguishment and other features as may be required to insure a reasonable degree of fire and life safety is provided.

GOAL 12 - Improve life safety in existing high life hazard multiple residential buildings through built-in fire protection.

**POLICIES:**

- 1) New construction in high life hazard residential occupancies shall be provided with approved built-in fire protection systems in accordance with Moraga Fire Protection District standards.

- 2) For each new building or addition exceeding 5,000 square feet of fire area in high life hazard multiple residential occupancies, a comparable amount of existing fire area shall be equipped with approved built-in fire protection systems.

GOAL 13- To protect scenic, wildlife, open space, waterways, watershed and wildland/suburban interface areas by reducing the risk of wildland and structural fires.

**POLICIES:**

- 1) All properties shall be maintained so as to preclude the existence of dry grass and brush that would permit the spread of fire from one property to another.
- 2) Fire retardant roofing shall be required in all new construction and when replacing roofs on existing structures.
- 3) Special fire protection standards shall be applied to all new developments in hillside, open space, and wildland/suburban interface areas. Fire prevention measures such as removal of dry grass and brush, provision of adequate water supplies and access for fire-fighting vehicles shall be required to reduce the risk of wildland fires.
- 4) Open space areas shall have dedicated fire roads and trails which meet fire district standards for grade and width. All new structures located in hazardous fire areas shall be constructed with fire resistant exterior materials to Uniform Building Code Standards, and the surrounding dry grass and brush shall be abated and/or landscaped with fire and drought-resistant vegetation to fire district standards.

GOAL 14 - To assure planning control over all grading.

GOAL 15 - To reduce possible loss of life and property damage which may be seismic induced.

**POLICIES:**

- 1) Structures shall not be permitted in geologically hazardous areas, such as slide areas or near known fault lines, until appropriate technical evaluation of qualified independent professional geologists, soils engineers and structural engineers is completed to the Town's satisfaction.
- 2) Community buildings or other structures designed to accommodate large numbers of people should not be located near fault lines or any area where seismic induced slides are possible.
- 3) Information pertaining to structures and facilities found to be unsafe shall be properly disclosed and such structures and facilities shall be removed or rebuilt to adequate construction standards.



4) Available Federal and State sources of economic and technical aid should be utilized in order to supplement local resources when problems exist that are directly related to public health and safety.

5) Minimize density of new development in areas prone to seismic safety hazards.

6) Ensure that all new construction is built to established minimum standards with respect to seismic safety.

7) Educate the community regarding methods to improve seismic safety.

GOAL 16 - To ensure that the geologic hazards of a development site are adequately identified and mitigated.

#### POLICIES:

1) Development shall be permitted only where and to the extent that the geological hazards of the development site will be eliminated, corrected or mitigated to acceptable levels.

2) Development proposals shall address geologic hazards including, but not limited to, landslide, surface instability, erosion, shrink-swell (expansiveness) and seismically active faults.

3) Technical reports addressing the geologic hazards of the development site shall be prepared by an independent licensed soil engineer approved by the Town and at the expense of the developer.

4) All technical reports shall be reviewed by the Town and found to be complete prior to the approval of a general development plan.

5) The Town shall adopt and follow procedures designed to ensure that the recommendations of the project engineer and the design and mitigating measures incorporated in approved plans are followed through the construction phase.

GOAL 17 - To discourage the use of retaining walls to mitigate geologic hazards and to permit them only when it is found that they are not likely to:

a) become "attractive nuisances" or increase the possibility of personal injury or property damage;

b) restrict the view of persons using roadways and thereby reduce vehicular or pedestrian traffic safety; or

c) increase the probability of public and/or private maintenance costs.

GOAL 18 - Minimize risks to lives and property due to landslides and other non-seismic geologic hazards.

#### POLICIES:

1) Restrict new development in areas prone to landslides and other non-seismic geologic hazards.

2) Ensure that all new construction is built

to the highest feasible geotechnical standards.

3) Facilitate successful long-term maintenance of hillside areas held as common open space.

4) Educate hillside homeowners about ways to minimize landslide and erosion hazards.

GOAL 19 - To address the significant erosion problems along the creeks of Moraga in order to prevent significant future damage along the creeks.

GOAL 20 - Minimize risks to lives and property due to flooding and streambank erosion.

#### POLICIES:

1) Restrict new development in floodways in accordance with FEMA requirements.

2) Avoid placing new structures on lots within potentially hazardous areas along stream courses.

3) Rehabilitate or remove structures that are subject to flooding or streambank erosion hazards.

4) Reduce the potential for future stream erosion and flooding.

5) Educate streamside property owners regarding potential hazards and ways to mitigate them.

6) Coordinate with the County Flood Control and Water Conservation District in evaluating water sheds and designing flood control projects.

### ACTION PROGRAM FOR SAFETY ELEMENT

1) Make appropriate amendments to zoning and subdivision ordinances to include considerations directly related to safety.

2) Develop planning and design criteria for the implementation of a "Defensible Space" program for crime and fire prevention.

3) Utilize task force citizen committees to study special areas of safety concern.

4) Encourage citizen and service club groups to promote and participate in safety education activities, such as neighborhood watch, drug awareness, disaster preparedness, etc.

5) Coordinate the Town's emergency planning with the Office of Emergency Services of Contra Costa County, the Moraga Fire Protection District, schools and other agencies.

6) Periodically review and update the Earthquake Emergency Plan.

7) Assure that new development projects include appropriate review of emergency response planning considerations.

8) Establish guidelines for inspecting and vacating or condemning structures that are

damaged or are in imminent peril, using public nuisance abatement powers.

9) Reduce non-structural hazards in all Town buildings.

10) Establish regulations for removing nonconforming uses.

11) Locate and identify hazardous materials stored in the Town. Based on initial evaluation, consider regulating such storage and/or requiring reinforcement of structures.

12) Establish regulations for the transmission of hazardous or toxic materials, consistent with County, State and Federal regulations.

13) Maintain regular programs of fire inspection and building inspection by appropriate personnel to mitigate fire, life safety risks and other hazards.

14) Enact appropriate ordinances that will require the use of built-in fire protection systems in all new buildings exceeding 5,000 square feet in total floor area for all new construction more than 1.5 miles or 3 minutes response time from the nearest fire station and in existing high life hazard buildings.

15) Encourage fire trails and fuel breaks in open space areas.

16) Cooperate with the Moraga Fire Protection District in the development and enforcement of weed abatement programs.

17) Consider fire prevention and public safety in review of development proposals.

18) Require fire-retardant roofs on all new structures.

19) Consider adopting a Geologic Hazards Abatement District Ordinance, in accord with State enabling legislation.

20) Appoint a technical seismic advisory committee to develop a detailed assessment of risk in public and community buildings, recommend a comprehensive action program, and research State and Federal sources of economic aid related to public safety concerns.

21) Amend the Safety and Seismic Safety Elements to comply with current State law and submit a copy of the amended Elements, and any technical studies used for their development, to the Division of Mines and Geology of the State Department of Conservation.

22) Establish a zoning overlay district for all hillside sites, defined as those sites with greater than 20% slope. Regulate densities and require that permitted structures be built in the most stable portion of each parcel.

23) In the environmental and subdivision review processes, ensure that development is in the most stable portion of each parcel. Require the project engineering geologist and geotechnical engineer to state that this is the case, subject to review of the Town's consulting geotechnical engineer and engineering geologist.

24) In the building permit process, verify that all residential construction is designed and constructed to the seismic standards of the latest edition of the Uniform Building Code.



Create a checklist of seismic design features to be verified in plan review and building inspection.

25) Require building inspectors to attend continuing education programs to ensure their familiarity with principles of seismic design and with seismic code requirements.

26) Require public buildings, multi-story buildings, and office and commercial buildings to be designed by a structural engineer according to expected levels of seismic shaking identified in this Plan. Retain a qualified structural engineer to review such plans for the Town. For particularly critical public buildings, require periodic inspection by the Town's structural engineer.

27) Review the Town's procedures for design, construction and acceptance of public infrastructure to ensure that the highest feasible standards of seismic design are being used.

28) Complete an inventory of potentially hazardous buildings, such as unreinforced masonry buildings, tilt-up buildings, and buildings with soft stories. Focus efforts on buildings with the highest occupancy. At a minimum, hazardous unreinforced masonry buildings must be identified according to the requirements of the Unreinforced Masonry Law of 1986 (Government Code, Section 8875).

29) Adopt an ordinance requiring the reinforcement of hazardous buildings. The ordinance should set priorities and establish procedures and a schedule for achieving compliance. The ordinance should also include guidelines for post-earthquake decisions regarding evacuation and condemnation of damaged buildings.

30) Identify critical facilities, evaluate their seismic safety, and develop a schedule for strengthening those facilities found to be below standard. Focus initially on public facilities, including infrastructure. Require critical facilities, such as schools and medical facilities, to meet the highest possible standards. Use Table 5 in Safety Appendix as guidance for determining acceptable level of risk.

31) Establish an ordinance that requires basic elements of seismic retrofitting upon transfer of property. These would include inexpensive and cost-effective measures such as bolting of houses to foundations, reinforcement of chimneys, sheathing of cripple walls and bracing of hot water heaters.

32) Require post-earthquake reconstruction to conform to all Town codes and ordinances.

33) Prepare guidelines for post-earthquake reconstruction, addressing: identification of risk areas, establishment of a reconstruction authority (similar to redevelopment authority), and determination of where uses and occupancies should be changed to reduce future risk.

34) Work with the schools to teach about earthquakes. This would include handouts on family earthquake preparedness, in addition to establishing emergency preparedness procedures in the schools.

35) Provide educational materials to community organizations. Materials should address general earthquake hazards and also describe expected effects within

the Town of Moraga.

36) The Town should make use of existing materials from the Seismic Safety Commission and the Bay Area Region Earthquake Preparedness Project, such as "Putting Seismic Safety Policies to Work" (1988).

37) Prohibit development in "high risk" areas, defined as being (1) upon active or inactive slides, (2) within 100 feet of active slides, as defined by the landslide map, Figure 4, or (3) at the base of the centerline of a swale, as shown by the Development Capability Map. Establish a zoning overlay district for all such high risk areas. Development may be permitted only if geologic and geotechnical investigations or project mitigations result in a very low level of risk to life and property. If so, require the project geotechnical engineer and engineering geologist to make explicit findings that this is the case, and require review by the Town's consulting geotechnical engineer and engineering geologist. Mitigations, if necessary, should be made conditions of project approval.

38) Define "moderate risk" areas as those within 100 yards of an active or inactive landslide, as shown in Figure 4, or (2) upon a body of colluvium, as shown in Figure 2. Establish a zoning overlay district for all such moderate risk areas. Where possible, avoid building in moderate risk areas. Where, due to parcel size and configuration, such avoidance is impossible, regulate densities, require clustering in the most stable portions of each subdivision, require that structures be built in the most stable portion of each parcel, and specify requirements for site engineering, road design, and drainage control.

39) In the environmental and subdivision review processes, ensure that each parcel is platted so that there is a safe building location. Ensure that development is in the most stable portion of each subdivision. Require the project engineering geologist and geotechnical engineer to state that this is the case, subject to review of the Town's consulting geotechnical engineer and engineering geologist.

40) Prepare siting and engineering guidelines to control development at the base of swales, as shown on the Development Capability Map. These should address location of structures, setbacks, and need for special drainage or diversionary structures.

41) Make all geologic and geotechnical reports a part of the public record and organized in such a manner that they will become an evolving source of local geotechnical information.

42) Prohibit the financing and construction of public facilities or utilities in potential landslide areas.

43) Require a geotechnical report to accompany building permit applications for all new construction, except minor building additions. In addition, require an engineering geologic report for all hillside sites (those steeper than 20%). Retain a geotechnical engineer and engineering geologist to review such reports on behalf of the Town, and establish guidelines for the review and approval procedure.

44) Review and revise the Town's building and grading codes, as necessary, to ensure that the highest standards of the geotechnical

engineering profession are being followed. Specifically, codes should aim for the highest standards in the areas of: foundation design for expansive soils, hillside drainage, fill settlement, slope stability analysis, liquefaction analysis and mitigation and landslide repair.

45) Establish inspection procedures to ensure that all grading and foundation work is observed and documented at specific critical stages.

46) For sensitive sites, require periodic grading and foundation inspection by the Town's engineering geologist and/or geotechnical engineer.

47) In the grading code, require that roads constructed in hillside areas be engineered to standards that reduce the potential for excessive maintenance and repair costs.

48) Where appropriate, consider establishment of a Geologic Hazard Abatement District.

49) Prepare and distribute informational brochures, identifying landslide areas within the Town, describing the causes of landslides and presenting guidelines for property maintenance so as to minimize the potential for earth movement problems.

50) Establish a flood control ordinance using FEMA guidelines.

51) Utilize flood control measures where appropriate to avoid environmental damage to sensitive and critical slope areas.

52) In the subdivision or flood control ordinance, establish standards for structural setbacks along streams. Additionally, set standards for property line setbacks and require that streamside property be owned and managed in common.

53) Prepare Town standards for design and maintenance of natural stream channels, addressing: vegetation removal, revegetation, permitted bank and bed stabilization techniques, irrigation setbacks from top of bank, energy dissipation at outlets, design of storm drain inlets and outlets, maintenance of culverts and inlets, and bank modifications. These standards can be used as a guide throughout all stages of the environmental and development review processes, as well as in providing guidelines to common owners of streamside property.

54) Establish an ordinance that requires disclosure and repair of streambank stability problems upon transfer of property.

55) Require on-site stormwater retention for new developments.

56) Establish standards for storm drain inlets and outlets to reduce potential for erosion or blockage.

57) Distribute maintenance and property management guidelines to all streamside property owners.

58) Inform all property owners within 200 feet of a creek of the availability of flood insurance under the National Flood Insurance Program.

59) Provide maintenance guidelines to new homeowner associations.



60) Include maintenance standards within the conditions of approval of a subdivision with common open space.

61) Provide long-term technical assistance to homeowner associations, for an appropriate fee or assessment.

## HOUSING ELEMENT

GOAL 1 - To ensure that the quality, safety and liveability of the Town's housing stock and residential neighborhoods are continually maintained and improved.

### POLICIES:

1) Owners of residential structures should be encouraged to maintain and, where appropriate, rehabilitate their premises in accord with current housing codes.

2) Students enrolled in St. Mary's and other colleges should be permitted to rent quarters in single family residences, provided the character of the neighborhood is not adversely affected.

3) Areas of transition between housing and other uses or activities should be designed and developed to reduce environmental problems.

4) The conversion of rental units to condominiums should be permitted only when:

a) the safety, design and environmental requirements of the Town are met;

b) the relocation needs of the apartment residents are adequately addressed; and

c) an adequate supply of rental units is preserved for those who want to live in Moraga but cannot afford or do not desire to purchase a residence.

5) The design of new housing and neighborhoods should help to minimize burglary, vandalism and other crime.

GOAL 2 - To promote a variety of housing types to help meet the Town's projected housing needs.

### POLICIES:

1) New residential development should provide the Town with a wide range of housing types by incorporating a variety of lot sizes, different housing designs and a mix of densities.

2) In order to coordinate future housing growth within the planning area, an inventory of developable vacant land should be maintained and periodically updated.

3) The development of multi-family rental units should be permitted only proximate to commercial and office areas, as provided on the General Plan Diagram.

4) Apartment development should be encouraged that contains units within the economic reach of persons of limited income.

5) All multi-family residential development

shall have adequate parking provisions for residents and visitors.

6) Multi-family residential development shall provide open space and recreation facilities consistent with their probable human occupancy needs.

7) Apartment residential units may be converted to condominiums provided that the number of apartment units is not reduced to a level found to be inconsistent with the Town's adopted policies and ordinances. All such conversions must provide adequate common area, recreational facilities, and be of a design, density and construction generally equivalent to new condominium development.

8) Multi-family residential areas having high visibility from scenic corridors shall be of a design compatible with and of related height, mass, grouping and design as nearby single family residential neighborhoods. Multi-family residential will not be allowed adjacent to scenic corridors unless substantial setbacks and heavy landscaping are provided.

9) Multi-family residential proposals shall be evaluated in terms of consistency with the Goals and Policies of this Housing Element, and such application shall, at the option of the Planning Commission, include a market analysis consistent with criteria established by the Planning Commission.

10) Multi-family residential densities may be increased by up to 30% through the P-D zoning process, provided that it is found that the additional units proposed above the density depicted on the General Plan Diagram provide housing opportunities to citizens of limited means.

11) Within areas designated as multi-family residential on the General Plan Diagram, no more than eight (8) dwelling units shall be erected on any one (1) acre, exclusive of streets. (This includes the 30% Density Bonus, if approved.)

12) Vacant parcels designated multi-family residential may be permitted to have gross densities in excess of six (6) DU/Acre, provided the Planning Commission makes the following findings:

a) that the buildable portion of the subject parcel proposed for density above six (6) DU/Acre is bounded on three or more sides by existing multi-family development having a density in excess of six (6) DU/Acre;

b) that the additional development above six (6) DU/Acre would not substantially affect the level of public services required to serve the property;

c) that the additional development above six (6) DU/Acre density is consistent with the standards in the Zoning Ordinance and Design Review Guidelines;

d) that the additional development above the six (6) DU/Acre density does not substantially adversely affect neighboring properties;

e) that the development plan for the site is compatible with adjacent properties; and

f) that the total development permitted does not exceed the gross density of adjacent parcels.

13) St. Mary's College should provide on-campus housing for their full-time students.

14) Senior citizen housing should be encouraged, consistent with projected community needs, and should include the following considerations:

a) easy access to needed services, such as shopping, medical, transportation, etc.;

b) off-street parking requirements consistent with project needs;

c) limited income constraints of many elderly; and

d) adaptable to mobility constraints of disabled.

15) Construction of moderate-income housing developments should be encouraged to meet projected community needs and to allow a wider range of the region's households to live in Moraga.

a) Moderate income housing should be properly designed in order to achieve a mix of housing types and a variety of floor plans and square footage consistent with a variety of family needs.

b) All housing types shall be properly interrelated consistent with the high residential quality that exists generally throughout the community.

c) Moderate income housing units should be located proximate to commercial office areas, primary transportation routes, and related public facilities and services.

16) As a means to offer lower cost housing, manufactured housing, built to current Federal and State standards, should be permitted on permanent foundations in all residential areas, providing their overall design is consistent with the Town Design Guidelines (in accord with SB 1960, enacted in 1980).

17) Secondary units shall be allowed in single family and multi-family areas, providing they comply with the Town's Municipal Code and Design Guidelines.

18) In order to expand affordable housing opportunities, additional rental units should be added to the current supply.

GOAL 3 - To encourage greater cultural diversity and prevent discrimination in housing based on age, race, ethnic background or household composition or any other illegal or arbitrary criteria.

### POLICIES:

1) All persons and families should have equal opportunity to obtain housing in Moraga, unconstrained by arbitrary or illegal patterns of discrimination.

2) Any person or family faced with the prospect of homelessness should have access



to any available information on temporary housing resources, assistance and facilities.

**GOAL 4 -** To promote increased energy self-sufficiency through the use of energy conservation measures in all homes, both existing and new construction.

**POLICIES:**

- 1) New residential development should be energy-efficient in compliance with the California Residential Energy Conservation Standards.
- 2) Housing should utilize natural heating and cooling opportunities where feasible and cost effective.
- 3) Existing residential units should be retrofitted with energy conservation measures, where feasible and cost effective, to reduce residential energy consumption and help maintain affordable housing.
- 4) The use of alternative energy systems, such as solar space and water heating, should be encouraged in all residential units and should be properly designed and screened from public view.
- 5) New residential development should utilize energy-efficient design and construction patterns and water conservation.
- 6) New residential structures shall be designed so that heat can be diverted from portions of buildings not in active use.

**GOAL 5 -** To promote citizen participation in the development, review and implementation of the Housing Element.

**POLICIES:**

- 1) Residents of the community and those regularly employed or conducting business in the community should have the opportunity to contribute to the Town's housing policies and programs.
- 2) Members of the public should have adequate information about housing needs, resources, constraints and program options.

## **ACTION PROGRAM FOR THE HOUSING ELEMENT**

- 1) Encourage St. Mary's College to increase its housing resources for faculty, staff and full and part-time students; include consideration of dormitories, apartments, shared equity condominiums and group housing.
- 2) Collect and disseminate information on innovative housing development concepts, from government and private sector, especially in connection with the production of lower cost housing.
- 3) Continue to contract with the County Housing Authority to participate in the Section 8 Existing program, so that households with program certificates may seek appropriate housing in Moraga, including secondary units and new multi-family (mortgage revenue bond financed) housing.

4) Actively participate in future county mortgage revenue bond programs.

5) Encourage and facilitate equity sharing between potential homeowners and employers or private investors, especially in connection with moderate-income housing, and to provide increased housing opportunities for persons of limited means.

6) Consider mixed use developments, wherein housing would be a permitted secondary use in new and existing commercial and office developments, and revise zoning ordinance accordingly.

7) Expand housing opportunities for disabled people by disseminating information to developers and homeowners on the needs and techniques for producing adaptable and accessible housing; encourage consideration of such techniques in both new and rehabilitated housing, including secondary units, manufactured housing, multi-family developments, etc.

8) Seek ways to increase efficiency in development permit processing for all residential proposals, giving special priority to those that would help the Town meet its need for lower-income housing.

9) Explore opportunities to encourage production of senior housing developments, affordable to low and moderate-income people, as well as an intermediate care facility.

10) Regularly review the building and housing codes and revise where appropriate to ensure consistency with current standards and General Plan policies.

11) Survey rental and condominium units regularly to determine occupancy and demand patterns and ensure consistency with the Town's condominium conversion policies.

12) Assess the condition of public improvements in residential areas on a regular schedule, to ensure proper maintenance.

13) Publicize the Town's nondiscrimination policies among realtors serving the community and among all employers.

14) Establish a procedure to handle any housing discrimination complaints.

15) Maintain the Town's policy of nondiscrimination in contractual matters.

16) Encourage developers and sellers of housing to incorporate nondiscrimination policies in their advertising and sales promotions.

17) Provide information and referral services, on an as needed basis, regarding temporary housing resources, assistance and facilities to serve homeless persons and/or families.

18) Moraga's design guidelines on orientation of new homes should be supplemented with the addition of guidelines to offer a wide range of solutions to typical solar access problems.

19) During the design review process, promote the use of vegetation in new residential development for shading of east and west walls, for shading paved areas and for channeling summer breezes; tree plantings should not block solar access.

20) Support regulations that allow the use of fossil fuels only in conjunction with solar systems for heating newly constructed swimming pools.

21) Continue to publicize solar access laws and provide information relating to the protection of sun rights for solar systems.

22) Encourage the installation of passive and active solar energy systems in existing residential units through educational programs and assistance in the permit process.

23) Consider a retrofit ordinance that would require the installation of specified cost-effective energy conservation measures, such as ceiling insulation, upon resale of a home, or the conversion of apartments to condominiums.

24) Encourage cost effective energy and water conservation measures.

25) Inform residents of the relative cost-effectiveness of various energy conservation measures in the home, as well as outdoors, such as pool covers, lighting and vegetative planting to promote natural heating, cooling and air flow.

26) Publicize meetings of the Town Council and Planning Commission at which actions to implement the Housing Element are to be considered.

27. In order to achieve low- and moderate-income housing objectives, periodically monitor housing production by income category. If such housing production falls below the growth rate necessary to achieve the target levels, the following actions will be considered if consistent with the provisions of this General Plan:

- a) Increase maximum allowable multi-family density on a project-specific basis.
- b) Rezone properties which are presently designated for commercial land uses to multi-family residential use on a project-specific basis.
- c) Waive growth fees for low- and moderate-income housing units until the specified production target levels are reached.
- d) Accelerate permit processing procedures for residential projects which will add housing units affordable to low- and moderate-income people.

## **NOISE ELEMENT**

**GOAL 1 -** To permit the establishment and maintenance of uses and activities that function in a peaceful and tranquil manner.

**POLICIES:**

- 1) Acoustical standards should be developed that properly reflect acceptable sound emission levels.
- 2) Application processing procedures may require the submittal of appropriate acoustical data so that the noise impacts of proposed uses can be properly evaluated and mitigated.
- 3) Noise from all sources should be maintained at levels that will not adversely affect adjacent properties or the community, especially during the evening and early morning hours.



4) Noise created by temporary activities necessary to provide construction or required services should be permitted for the shortest duration possible and in locations that will have the least possible adverse effect.

5) Uses should be located where they will be most acoustically compatible with elements of the man-made and natural environment.

6) Vehicles, including those used for recreational purposes, should be used in such a manner that they will not intrude on the peace and quiet of residential areas.

GOAL 2 - To control or eliminate those activities that create sound emissions that are disturbing to the peace and tranquility of the community.

#### POLICIES:

1) Whenever appropriate, public information programs should be used to educate the public on the values of an environment that is free of noise pollution.

2) New development shall not raise noise levels above acceptable levels on the Town's arterials and major local streets.

## ACTION PROGRAM FOR NOISE ELEMENT

1) Discourage the siting of residences adjacent to major arterials unless noise can be reduced to acceptable levels, consistent with State law.

2) Utilize the natural terrain, when appropriate, to screen structures from major arterials or other noise sources.

3) Monitor known noise problems and evaluate complaints regarding new noise sources in order to develop the most practical solutions.

4) Publicize practical mitigation measures that Town citizens can use to help reduce noise.

5) Utilize the design process to orient sensitive portions of buildings away from noise sources and utilize design techniques that will reduce adverse noise impacts.

6) Periodically review the Noise Element and its implementation, in relation to State law and the guidelines established by the Office of Noise Control in the Department of Health Services, and revise as needed.

## PUBLIC SERVICES, PUBLIC FACILITIES AND PARKS AND RECREATION ELEMENT

### I. PUBLIC SERVICE & PUBLIC FACILITIES

GOAL 1 - To gain maximum economies from the expenditure of public monies.

#### POLICIES:

1) The Town shall operate as a minimum service level city.

2) The incremental growth of government service should be avoided except for urgent

short term situations.

GOAL 2 - To utilize citizens of the Town as human resources to research problems and recommend solutions.

#### POLICY:

1) The use of citizen expertise shall be solicited and utilized in non-paid committee and special service functions whenever possible.

GOAL 3 - To utilize citizens committees as an extension of staff whenever possible.

GOAL 4 - To annually, at budget time, carefully reassess the functions of government and the needs in relation to the General Plan.

GOAL 5 - To continue to seek improved methods of governmental administration that will be as cost-effective as possible.

GOAL 6 - To gain assistance from the Town's citizens in code enforcement on a complaint basis.

GOAL 7 - To periodically inform elected and appointed officials regarding code compliance and enforcement.

GOAL 8 - To utilize a minimal number of permanent field service employees.

GOAL 9 - To encourage the continuation of Moraga as essentially a contract service Town when it is cost-effective.

#### POLICIES:

1) All work beyond the capability of Town staff shall be "contracted out".

2) Street maintenance should be accomplished at reasonably high standards to avoid long term repair and replacement costs and to assure a safe and comfortable street system.

3) The fire suppression needs of the Town at maximum development of the Plan can be provided by the two existing stations.

4) All areas within Moraga's Sphere of Influence to be annexed to the water and sanitation districts should generally be considered for annexation to the Town of Moraga.

GOAL 10 - To seek a balance between the provision of school facilities and available funds consistent with community educational needs.

#### POLICIES:

1) Campolindo and Miramonte High Schools are capable of serving the population provided for in the General Plan and no additional high school sites are proposed.

2) The existing intermediate school serves the General Plan area and no additional intermediate schools are proposed.

3) Community growth should be phased and paced to avoid the need to construct new

elementary schools.

4) Existing vacant school sites should not be released for other than school facility use until the School District is satisfied that such sites will not be needed.

## ACTION PROGRAM FOR PUBLIC SERVICES AND PUBLIC FACILITIES SECTION

1. Reassess service levels in relation to community needs annually at budget time.

2. Utilize a Capital Improvement program based on the General Plan and budget constraints.

3. Maintain a regular and periodic public information device that will assist in keeping the general public aware of service levels in relation to Town needs and the General Plan.

4. Study the feasibility of consolidating Town offices and facilities into a Town Center.

### II. PARKS AND RECREATION

GOAL 1 - To provide and maintain Parks and Recreational facilities in Moraga, consistent with Town resources.

#### POLICIES:

1) The Parks and Recreation Commission shall advise the Town Council on Goals and Policies relating to Parks and Recreation matters.

2) The Parks and Recreation Commission shall maintain and biennially review and update the master plans for the individual parks.

3) The Parks and Recreation Commission shall evaluate the need for additional park and recreation facilities.

4) Hacienda de las Flores shall continue to function primarily as a recreation center, botanical garden and historical complex.

5) Whenever possible, the Parks and Recreation facilities shall be self-sustaining.

GOAL 2 - To provide parks and open space consistent with demographic needs of the Town.

#### POLICIES:

1) The Parks and Recreation Commission shall review development proposals for adequacy of parks and recreation facilities and open space requirements.

2) The Town should avoid the development of numerous mini-parks that unduly increase maintenance and development costs.

GOAL 3 - The Parks and Recreation Commission shall advise the Town Council regarding the acceptance of park dedication funds.

#### POLICIES:

1) Residential and business development shall make appropriate provision for park land



dedication, trails, trail easements and/or money in lieu of dedicated land as part of the planning and development process.

2) Land provided and/or facilities provided by the developer can be considered for partial credit toward the Park dedication requirement.

GOAL 4 - To manage parks, open space lands and trails in accordance with recognized land management principles.

GOAL 5 - To utilize Moraga Commons as the central site for community events.

GOAL 6 - To encourage and cooperate with other jurisdictions to develop and maintain a unified trail system. The unified trail system shall include hiking, biking and equestrian trails.

#### POLICIES:

1) Trails should be designed for a minimum adverse environmental impact.

2) Handicapped access to trail facilities should be provided.

3) Encourage support for the Bay Area Regional Trail projects: e.g., the Bay Trail Plan and Ridge Trails.

4) Encourage trails along the following routes:

a) Northern Town Boundary - Moraga Road to St. Mary's Road

b) Rheem Blvd., from Moraga Road to St. Mary's Road

c) EBRPD Regional Trail extension via Bollinger Canyon

d) St. Mary's Road to the Utah Easement Trail

e) Indian Ridge

f) Indian Valley

5) In undeveloped areas, existing fire trails may be improved for trail use in cooperation with landowners.

6) The Parks and Recreation Commission shall cooperate with the agencies responsible for providing connections to regional and state trail systems.

7) Trail routes should be separate from motor vehicle routes whenever possible.

8) Trails should not be accepted for ownership and maintenance if such acceptance will significantly impact the Town's fiscal ability.

GOAL 7 - To provide a high level of interior and exterior maintenance at all Park and Recreation facilities.

GOAL 8 - To ensure adequate parking at all park and recreation programs and facilities.

GOAL 9 - To provide recreation and leisure activities for citizens of all ages.

#### POLICIES:

1) The Parks and Recreation Commission is responsible for advising the Town Council concerning the establishment, implementation and evaluation of goals and policies relating to Parks and Recreation facilities and services.

2) The Parks and Recreation Commission encourages the development and coordination of recreational activities with other governmental agencies, the private sector and service organizations.

GOAL 10 - To ensure recreational activities that are compatible with the neighboring environment.

GOAL 11 - To consider school properties for recreational programming to the extent available and financially feasible.

GOAL 12 - To encourage joint recreational programs between the Town of Moraga and St. Mary's College.

GOAL 13 - To encourage activities from which Moragans can learn about the community, its history, resources and residents.

### ACTION PROGRAM FOR PARKS AND RECREATION

1) Reassess service levels in relation to community needs annually at budget time.

2) Utilize a Capital Improvement Program based on the General Plan and budget constraints.

3) Maintain a regular and periodic public information device that will assist in keeping the general public aware of service levels in relation to Town needs and the General Plan.

4) The Parks and Recreation Commission shall:

a) Review the proposed annual budget as it relates to park and recreation matters prior to submission to the Council and recommend action on such budget to the Council.

b) Biennially review the Master Plan for all parks.

c) Annually review the use and application of park dedication funds and report to the Town Council.

5) Develop a plan for the reforestation of the Hacienda de las Flores.

6) Maintain a botanical garden for the Hacienda grounds.

7) Implement a plan to provide shelter at the Moraga Commons Park.

8) Repair acts of vandalism as soon as possible.

9) Encourage the private sector to help meet park needs in accordance with the Town of Moraga donation guidelines.

10) Evaluate the corporation yard location and consider alternate sites.

11) Study the feasibility of a master trails and bikeway system.

12) Schedule year round classes in topics such as arts, sports, physical fitness, music, ecology, photography, cooking, drama, video and special interest needs.

13) Develop recreation programs consistent with carrying capacities of available park lands and facilities.

14) Encourage service organizations, local schools and businesses to sponsor joint activities or special events with Moraga Parks and Recreation.

15) Annually evaluate the need for additional parking at all facilities.

16) Conduct periodic surveys of public opinion regarding program participation, standards, evaluation and preferences for recreation services.

17) Encourage the donation of funds, goods and services by the private sector according to established guidelines and policy.

18) Encourage citizen volunteer participation in recreation programs.

19) Cooperate with Orinda and Lafayette to provide recreational activities for Moraga and surrounding communities.

20) Hire local residents as leaders and instructors whenever possible.

21) Disseminate information to apprise citizens of recreation activities.

### GROWTH MANAGEMENT ELEMENT

GOAL 1 - Comply with the standards set forth in the Technical Appendix to the Growth Management Element.

#### POLICIES:

1) Periodically review and monitor all performance standards.

2) Include capital projects needed to maintain performance standards in a five-year Capital Improvements Program.

GOAL 2 - Apply the adopted standards to the development review process.

#### POLICY:

1) Approve development projects only after making findings that one or more of the following conditions are met:

a) Performance standards will be maintained following project occupancy;

b) Mitigation measures are available and will be required of the applicant in order to insure maintenance of standards;

c) Capital projects planned by the Town or by a special district will result in maintenance of standards.



# Historic Moraga



VIEW SOUTHEAST ALONG WHAT IS NOW COUNTRY CLUB DRIVE TOWARD THE JUST COMPLETED MORAGA BARN (NOTE SCAFFOLDING) - 1914 (PHOTO - MORAGA HISTORICAL SOCIETY)

VIEW FROM NEAR CORNER OF CANYON ROAD AND COUNTRY CLUB DRIVE NORTHWESTERLY TOWARD MORAGA BARN. (PHOTO - MORAGA HISTORICAL SOCIETY)



VIEW NORTHWESTERLY ACROSS THE LAKE SITE OF A PORTION OF THE RANCHO LAGUNA DE LOS PALOS COLORADOS. THE ROAD IN FOREGROUND IS MORAGA ROAD (FORMERLY JONAS HILL ROAD). MIDDLEGROUND OF PICTURE IS THE CURRENT SITE OF THE CARROLL RANCH DEVELOPMENT AND THE MORE LEVEL AREA IN THE CENTER OF THE PICTURE IS THE CURRENT SITE OF THE CAMPOLINDO HIGH SCHOOL. -1935 (PHOTO - MORAGA HISTORICAL SOCIETY)



# Your Personal Copy of the 1990 Moraga General Plan



HISTORIC VIEW SOUTHEAST TOWARD SAINT MARY'S COLLEGE FROM SAINT MARY'S COLLEGE SACRAMENTO NORTHERN TRAIN STATION - JUNE 8, 1941 (PHOTO -MORAGA HISTORICAL SOCIETY)

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